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Capturing German South West Africa: Racial Production, Land Claims, and Belonging in the Afterlife of the Herero and Nama Genocide

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Capturing German South West Africa: Racial Production, Land Claims, and Belonging in the Afterlife of the Herero and Nama Genocide

by
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"If science is a 'commitment to truth' shall we [c]ite all the historical non-truths perpetuated by scientists? Of course not. It's not a [S]cience vs. Philosophy … It's Science + Philosophy. Elevate your Thinking and Consciousness. When you measure, include the measurer."
— MC Hammer

"To study history is also, of course, to study death. While death is often considered a tragedy instead of an inevitability, when I am in the midst of feeling my most human, when I am remembering and wondering and imagining, I sometimes think that the most tragic death is the death that is elided over as history is canonized. That elided death doesn't participate in the process of metaphysical care that creates culture. It is not remembered, studied, imagined. That death is stripped of its humanity, which seems to be, if not a fate worse than death, perhaps a death worse than death. And perhaps, in turn, allowing that elided death to remain unimagined makes us a bit less human."
— *We are Proud to Present a Presentation about the Herero of Namibia, Formerly Known as Southwest Africa , from the German Sudwestafrika, Between the Years 1884-1915* by Jackie Sibblies Drury

"Capturing German South West Africa: Racial Production, Land Claims, and Belonging in the Afterlife of the Herero and Nama Genocide"

Abstract

Zoe Samudzi

Because its geographic reach was not as vast as Britain, France, or Spain's, Imperial Germany is often rendered to the marginalia of colonial historiography. Yet Germany's colonial endeavors, specifically its genocidal war against the Ovaherero and Nama (1904-1908) in German South West Africa is critically important as an expression of *Lebensraum,* a geopolitical understanding of ethnic identity and racialized space appropriated from biologist Oscar Peschel's response to Charles Darwin's theories of evolution and natural selection. In complementing Ovaherero and Nama efforts for reparations, this dissertation embraces an altercentric historiography — a genealogical materialism guided by ubuntu philosophy — and approach to biological science that narrativizes Germany's first genocide as a material expression of the colonial biomedical logics that animated the the colonial project and endure in the present.

I am using three case studies that tether contemporary scientific and archival practice to colonial-era biomedical harms. First, the collection and ongoing incarceration of Ovaherero and Nama skulls and other skeletal remains in German and American and other archival collections is a feature of a broader regime of race-making and property rights. The the continued capture of these remains has been described by Ovaherero and Nama community members as a continuation of genocide through the linking of expropriative colonial actions to the "post"-colonial present. Secondly, an analysis of Eugen Fischer's transnational "bastard studies" allows

for an examination of the genocide continuity thesis. It connects the imperial German study of mixedness in southern Africa to eugenic study in Weimar and then Nazi Germany via the desire to manage perceived impurities to whiteness resulting from race-mixing. This illustration of continuity reveals how desires for racial management in each location yielded both consistent and differential racial structures and fates for the mixed-race communities in question. Finally, the deep interest in the sequencing and tracing of San genomes is inextricably linked to anthropological constructions of "hunter-gatherers" as ancient and primitive, and the Eurocentric compulsion to enclose and define and hierarchize human life with the creation of a "human" that always precludes African indigeneity. The always already racialized genomics projects and nation-state assertions of genomic sovereignty are occurring simultaneously to San communities being dispossessed of their land and turned into an underclass in the nation-states into which they are being forcibly assimilated.

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Introduction

The word "genocide" was first used by Raphael Lemkin in his 1944 text *Axis Rule in Occupied Europe*—it couples the Greek word *génos* (meaning "race" and denoting a group of people with common origin or descent) with the Latin suffice -*cide* (meaning "killing"). Lemkin used the word to describe the implementation of Nazi policies, though his work was also inspired by the Ottoman Empire's mass killings of Armenians between 1915 and 1923 as well as colonial projects in the Americas. He defined genocide as "the destruction of a nation or of an ethnic group." There were some nuances to how he imagined this collective violence. He believed that "genocide does not necessarily mean the immediate destruction of a nation, except when accomplished by mass killings of all members of a nation. **It is intended rather to signify a coordinated plan of different actions aiming at the destruction of essential foundations of the life of national groups, with the aim of annihilating the groups themselves**" (bolding mine). Genocide is not simply collective punishment via mass killing, but exterminatory violence with the objectives that include "the disintegration of the political and social institutions, or culture, language, national feelings, religion, and the economic existence of national groups, and the destruction of personal security, liberty, health, dignity, and even the lives of individuals belonging to such groups." As clarified by further typologies, Lemkin understood genocide as a phased phenomenon:

> "Genocide has two phases: one destruction of the national pattern of the oppressed group; the other, imposition of the national pattern of the oppressor. This imposition, in turn, may be made upon the oppressed population which is allowed to remain, or upon the territory alone, after the removal of the population

> and the colonization of the area by the oppressor's own nationals" (Schaller and Zimmerer 2009).

The word "genocide" was used in a descriptive capacity throughout the Nuremberg trials; none of the Nazi perpetrators were actually charged with genocide as a statutory offense. In 1951, the United Nations General Assembly ratified the Convention on the Prevention and Punishment of the Crime of Genocide (henceforth, the Genocide Convention). Article II of the Genocide Convention codifies genocide in international jurisprudence and human rights law as any of a number of acts "committed with intent to destroy, in whole or in part, a national, ethnical, racial, or religious group" including "killing members of the group; causing serious bodily or mental harm to members of the group; deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part; imposing measures intended to prevent births within the group; forcibly transferring children of the group to another group" (UN Convention on Genocide, Article II)[1].

In 1996, Gregory H. Stanton, president of Genocide Watch, presented his briefing paper called "The 8 Stages of Genocide," which, per his typology include "classification, symbolization, dehumanization, organization, polarization, preparation, extermination, and denial." The commonly held framework for defining and understanding genocide—both popularly and within international law—describe the act as a "predictable but not inexorable" singular event (Stanton 1996). But rarely does the idea of culpability and prosecutability for the

[1] During the Rwandan genocide, lawyers for the U.S. State Department notably warned American diplomats against describing the violence as "genocide," and instead to say that "acts of genocide" were being committed. But the 1948 United Nations Genocide Convention defines genocide as "*acts* committed with intent to destroy, in whole or in part…" meaning that clearly observable actions and intentionality cannot be delinked from genocide itself. Further, the Genocide Convention defines "genocide; conspiracy to commit genocide; direct and public incitement to commit genocide; attempt to commit genocide; and complicity in genocide" as punishable acts (UN Convention on Genocide, Article III).

act of genocide coincide with the fact that the destruction of an indigenous population (whether through forcible assimilation, ethnic cleansing, violent depopulation and killing, or some combination of acts), is an inevitable and necessary part of the establishment and maintenance of settler colonial states[2] (Madley 2015; Veracini 2010; Wolfe 2006, 2016). There is a foundational feature in how genocide is understood where definitions seek to describe exceptional and discrete event-based violence in order for the almost sole purpose of appropriately punitive measures to be taken. This understanding of genocide as an anomalous, aberrational, and avoidable act forecloses the possibility of recognizing genocide as a tactic of colonial processes that necessitate the management and/or destruction of populations as a part of the articulation of a state apparatus and [biologized] definitions of citizenship and belonging therein (Balint 2012; Rowse 2012; Veracini 2013).

The Ovaherero & Nama genocide

Prior to the formation of the Reich in 1871, there was little attempt to assert German (then, Prussian) control over external territories. But through propagandistic writings about exploits abroad, colonial aspirations fomented through a process that Susanna Zantop (1997) describes as "latent colonialism." This was a "colonial subjectivity emerged in Germany…and grew into a collective obsession by the late 1800s" (Neather 2003), an obsession which bore consequences for the global spread of German culture and the preservation of Germanness itself. The acquisition of colonies in Africa following the Berlin Conference (1884) would enable Germany's emergence as a *Weltreich* ("world power") that would be able to compete with

[2] Examples of settler colonial state projects include the United States, Canada, Israel, Australia, and apartheid South Africa.

England and France, the preeminent colonial powers of the time. Just as the Nazi campaign was characterized as a "struggle for space" — or a "spatial revolution" as it was described by Nazi jurist Carl Schmitt — imperial Germany previously materialized its conquest of German South West Africa in such terms (Giaccaria and Minca 2016). German efforts in its southern African colony strove to create a German outpost "that did not have to shy away from a comparison with the German homeland": it was a reference to the space within the colonies as well as a new manifestation of Germanness actualized by a national expression revitalized and strengthened by an overseas expansion where racial separation could be more easily maintained (Sandler 2012). It was an international exporting of the notion of *Lebensraum* ("living space/room") that had captured the German geopolitical imagination, and it would be actualized via a careful "'scientific method' in 'indigenous policy'" (Zimmerer 2016).

The word *Lebensraum* was coined by German biologist Oscar Peschel in his review of Charles Darwin's landmark text *On the Origin of Species* which was published in 1859; it was used as an "imprecise German alternative to the English 'habitat' and the French 'milieu'" (Heffernan 2000). Although all organisms were locked into this spatial competition, Friedrich Ratzel's appropriation of this idea into the realm of geopolitics biologized the formation of nation-states and their colonial outposts, as well as the racial-cultural identities of the populations that inhabited them. A production of racial geography through genocide is inhered within *Lebensraum* and the romantic nationalist ideals that characterized imperial German and then Nazi settler expansionism—"living space," after all, is incomplete without a corresponding *Entfernung* ("removal") in whatever manner the specific racialized nation-state project entailed to make it livable. Germany's settler colonial expansion in Africa was a

colonization marked not simply by the desire to cultivate a captive labor force in order to accelerate the colony's economic development, but one of establishing dominion over land which necessitated native deterritorialization. Skirmishes over land and resources were formalized into German military strategy in 1904. Following the replacement of Governor Colonel Theodor Leutwein with the heavy-handed Lt. General Lothar von Trotha (who had previously demonstrated his brutality in military campaigns in German East Africa), the nature of the violence escalated. His October 2nd *Vernichtungsbefehl* ("extermination order") indicated clear genocidal intent. In threatening all Ovaherero people who did not cede their land with certain death, all indigenous people, women and children included, were transformed into enemy combatants by the mere nature of an othered blackness that presented an obstacle to German claims to land and sovereignty (Hull 2008). War necessitated the extrication of indigenous Namibians, now enemies of the state, from German subjecthood and from any proximity to the realm of the human (Zimmerer 2003[b]). Following Mbembe (2003), the armies of the colonized

> "…do not form a distinct entity, and their wars are not wars between regular armies. They do not imply the mobilization of sovereign subjects (citizens) who respect each other as enemies. **They do not establish a distinction between combatants and noncombatants**, or again between an 'enemy' and a 'criminal.' **It is thus impossible to conclude peace with them.** In sum, colonies are zones in which war and disorder, internal and external figures of the political, stand side by side or alternate with each other. As such, the colonies are the location par excellence where the controls and guarantees of judicial order can be suspended —**the zone where the violence of the state of exception is deemed to operate in the service of 'civilization'**" (bolding my own).

Germany's grand "vision of dominance, the utopian dream of total control and availability, required segregation by 'race'" (Zimmerer 2003[a]) —and from this necessitated separation

emerged structures regulating ideas of "purity," which were necessarily gendered so as to prevent purity-compromising race mixing. With a state of exception initiated by the Herero Wars, the wholesale elimination of native peoples became not only an idea to be flirted with, but a necessity per the eliminatory logics of the settler colonial project (Wolfe 2006). Central to western modernity is an architectural project, a spatialization of racial management—a naturalization and territorialization of race-making classifications. While colonialism was foundational to Lemkin's theorizations of genocide, his writings on African colonization contain substantial and even idea-undermining contradictions. In his considerations of Germany's genocidal violence against the Ovaherero, Lemkin attributed state cruelty to the improper practice of colonial rule: the British system of "indirect rule," which allowed for indigenous cultural maintenance and complementary administration, would have been more suitable and humane. In line with other historiographic theses that emphasize exceptional German cruelty, Lemkin and others have attributed brutal suppressions of Ovaherero rebellions to the culture of Prussian militarism, which actually overstates the function and efficiency of imperial German administration prior to the onset of the 1904-08 colonial wars. In actuality, German administrators relied on alliances with and the cooperation of indigenous chiefs. While he does not apply his neologism "genocide" to the context of Ovaherero suffering, his description of the Herero Wars[3] would have undoubtedly fit his own criteria. And yet his analysis of the violence does not sufficiently hold European colonialism responsible for the production of genocide-making/justifying epistemes and practices. In the case of the Ovaherero, he perpetuates the

[3] In his unpublished and uncompleted manuscript, Lemkin writes about the Ovaherero: "After the rebellion and von Trotha's proclamation, the decimation of the Hereros by gunfire, hanging, starvation, forced labour and flogging was augmented by prostitution and the separation of families, which a consequent lowering of the birthrate" (Schaller 2009: 90).

colonial myth that they were committing "race suicide," a popular theory promoted by Willem Petrus Steenkamp that asserted that during German conquest, "they could not reconcile themselves to the idea of subjection to Germany and thus loss of independence" (Steenkamp 1944; Schaller 2009).

Racial geographies and the "human"

It is through an understanding of racial geographies that that we might understand genocide as necessary or productive for and even a definitive part of some colonial projects. Articulations of a "genocidal gaze" (Baer 2017) captures an alternative historical trajectory of "race branding" (Mamdani 2001) and how imperial German attitudes towards indigenous peoples of South West Africa are perpetuated and replicated by the Nazis in Europe. Inherent to analyses of this gaze is a continuity thesis[4], which describes the not only shared characteristics of the Ovaherero and Nama genocide and the Nazi Holocaust, but the shared and twice deployed racialist concepts and hierarchies of *Lebensraum,* the concepts of *Rassenschande*[5] (racial shame) and *Endlösung* (final solution), and the mechanics of genocidal harm in the use of forced labor camps, summary executions of women and children, sexual violence, and mass deaths by starvation and enslaved labor (Zimmerer 2005; Baer 2017).

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[4] It should be emphasized that "continuous" is not a synonym for "causal": asserting that there is a trajectory of imperial logic and materiality is not the same as claiming that one event necessarily caused another. This is also not an iteration of the continuity thesis that holds that German violence in Namibia was "practice" or a "rehearsal" for Nazi violence in Europe as is often articulated: anti-Black violence is a end game and politic in itself, and history (here, Germany's attempted genocide of European Jews) is not inevitable.

[5] *Rassenschande* refers to opposition to interracial marriages and racial separation, previously described in colonial anti-miscegenation policy/legislation. Chapter 2 will engage the relationship between the scientific research that Eugen Fischer conducted about the mixed race Rehoboth Basters and the relationship between his work in GSWA and the Nuremberg Laws.

While the genocidal gaze made permissible and justifiable Germans' apparent right to annihilate indigenous Africans at will, centuries of contemptuous regard for Black Africans by European colonizers led to racial characterization and treatment of native people as barely more sophisticated than animals, even chattelizing and commodifying them through the transatlantic slave trade. Animalization of native Africans through eugenicist racial science further nullified African land claims and enabled Europeans to impose their own juridical notions of [land] ownership and also personhood/subjecthood and western legality (Hussain 2003; Nhemachena and Dhakwa 2018). The uses of introduction of European property as a means of understanding ownership "unfolded in conjunction with racial schemas" (Bhandar 2018), enabling the subjugation and voiding of indigenous land claims and introducing a racially stratified schema of legal subjecthood that complemented colonial appropriations and accumulation of land and other resources, including human ones (Sanyal 2013). Classical legal theory was globalized through an "eventual universalization (that is, literally, globalization) of a single Classical system of public international law, devised by the Western Great Powers" (Kennedy 2006) that posited European sovereignty as super-sovereign within the colonial sphere. It is through this subjugation that whiteness came to be constituted with property ownership and blackness as property, and it is through the process of what Fanon called "epidermalization" that this racial schema is projected onto the bodies of Black/African people (Fanon 1952; Harris 1993; Dayan 2011). With this juridical regime of land and color-based identity, there established the clear distinction between European dominion over land and the mere occupancy or lesser possession (i.e. a land claim that was not recognized by regimes of European ownership) of indigenous peoples—the introduction

of property law, specifically, bestowed the land that would become the colony to its rightful European owners (Wolfe 2016).

Juridical regimes, which materialize *empirical* racial hierarchies, become not only a tool for the domination over land and non-human animal life but also the management of Black life as non-human animal life" (Boisseron 2018; Jackson 2020). The emergent biopolitical regime comes to equate corporal punishment as a political anatomy: the body is understood as a malleable and manipulatable "docile body" that can be maximized and transformed and treated as a capitalistic means of [both social and economic] production through systems of chattel enslavement. Foucault (1977) describes a modern disciplinary regime that is inextricably linked to medicalization by demonstrating the emergence of the panopticon from strategies medical containment during the bubonic plague (which cannot be separated from ideas of managing blackness, itself, as a dirtying and contagion-posing threat to the white nation-state). Recognizing race-making as a trans-temporal constant phenomenon invokes the concept of sociogeny. Sociogeny refers to Fanon's (1952) understanding of socio-historical development. He demands that any naturalization of racial formations as biological reality be grounded in an understanding of social orderings that cast the Black "other" into subjugated relation with the white standard of humanity. Building on this original thesis, Sylvia Wynter's responsive liberatory project entails the annihilation of the genre of "the human as 'Man'" because each are imbued with meaning that preclude blackness from ever existing within either: rather, race is organized through racial assemblages, "a conglomerate of sociopolitical relations that discipline humanity into full humans, not-quite-humans, and nonhumans" (Weheliye 2014). Weheliye (2014) describes the sociogenic process as one through which racialization acts as a "biocultural

stigmatic apparatus," and where desires for dominance are justified through scientific articulations and "assemblages of human flesh that invest human phenomenology with an aura of extrahuman physiology." The scientific logics used to justify race become "a master code within the genre of the human represented by western Man" because this algorithmic operation has become yoked to "species-sustaining physiological mechanisms in the form of a global color line" (Weheliye 2014). There is no *a priori* or autopoietic[6] existence for blackness within the realm of humanity: the human emerges only through material articulations that whiteness as Man has constructed and propagated to project their own notion of the "human" and the "self." White supremacy can be understood not simply through manufactured and manipulated entitlements to govern and dominate, but rather also logics of "regimented, institutionalized, and militarized conceptions of hierarchized 'human'" (Rodríguez 2006) (Rodríguez 2021). This sociogenic moment (i.e. European modernity) represents a confinement of constructed ethno-racial identity to a designated position within whiteness' order/hierarchy, particularly as ethnicity is reinscribed upon the Westphalian nation-state structure—this is the essence of *Lebensraum* and the German geopolitical arrangement of organismal societal-state competition.

It is the very notion of property rights—rights that designated a capacity for and a *right to* land ownership—that also designated claim to humanity because "the concepts of 'man' and 'human' went hand in hand with the emergence of the concept of 'rights'" (Mignolo 2009) which were imagined in service of the construction of a colonial world and so were inextricably linked to the state/nationhood. "Human rights law…aspires to name, define, call into being, redeem the

[6] The term "autopoiesis" refers to a system able to create, reproduce, and maintain itself. The term was introduced in 1972 by biologists Humberto Maturana and Francisco Varela; they used it to describe the self-maintaining capability of living cells.

human" through the transformation of what should be some innate or inalienable condition to a legally informed social-political status, or what Esmeir (2006) described as "juridical humanity." The codification of humanity established by human rights conventions is an institutionalization of racial hierarchies within and through the very structure of human rights itself: it is the "narrative privileging of white life/death as the instance through which other peoples' encounters with Western modernity's logics of racial extermination/terror" (Rodríguez 2015) (Esmeir 2006; Macharia 2019). Colonialism was bolstered by an interdisciplinary scientific structure within academia, and scientific research existed as an essentializing tool that was construed as rational and objective, but was simply an empiricization of European hegemony. The "human" emerges only through articulations and "enunciations" of humanness constructed and propagated by powerful ones able to project and impose their own selves onto a universally accepted notion of what is human (Mignolo 2015). Science ascribes social meaning and hierarchy to true phenotypical difference via colonial renderings of difference, which are naturalized through race: there is no non/post-racial genomics, biomedicine, or technoscience because the "human" (or non-human person's) body cannot be read outside of racializing systems and logics of domination. This tension, of course, is at the root of the purportedly universalizing international legal standardization of the crime of genocide. Thinking with Marc Nichanian (2009), the desire to maintain these structures of coloniality produces contestations *of* genocidal realities: despite the creation of the crime and its constituent acts, there remains debate about what actually constitutes genocide and so when to deploy the term in response to contemporary or historical crimes. This tension arguably revolves around what is understood as a killable or unkillable person, around which individuals and communities are afforded full standing as human under the

law. “The genocidal will,” he writes in describing both a legal and philosophical impulse, “is that which wants to abolish the fact in and through the very act that establishes the fact,” which also pertains to “the manner in which the memory of events is constituted for civilized humanity” (Nichanian 2009).

Fanon also presents a historical-psychoanalytical critique about the effects of colonization on the colonized, namely Black people. He describes race and racialization within a context in which blackness (nor whiteness) does not exist as an *a priori* state, but rather is an imposed identity and social-material condition: “Whether he likes it or not, the black man has to wear the livery the white man has fabricated for him” (Fanon 1952). Similarly, Sartre (1948) writes that it is the antisemite that makes the Jew. Anti-blackness, as with all racial bigotries that distill non-white “others” to a particular essence, is situated within a European colonial project. Fanon’s is a logic that de-exceptionalizes the Holocaust, which is upheld as the pinnacle state of exception: he extracts it from a mythos about the uniquely evil nature of the Nazism and places it into both a colonial trajectory and broader continental project and investment (Agamben 2005). The entire continent shares a complicity in the Germany’s genocide of Jews. Césaire (1955) writes that Europeans

> “hide the truth from themselves, that it is barbarism, the supreme barbarism, the crowning barbarism that sums up all daily barbarisms; that it is Nazism, yes, but that before they were its victims, **they were its accomplices**; that they tolerated that Nazism before it was inflicted on them, that they absolved it, shut their eyes to it, legitimized it, because, until then, it had been applied only to non-European peoples; that they cultivated that Nazism, that they are responsible for it.”

Contextualizing racial otherings as a product of European coloniality, Fanon (1952) highlights the shared lineage of the antisemite and the negrophobe, describing an inevitability that the

antisemite, too, is likely a negrophobe through an elevation of an ordinary whiteness defined solely through negation (Sartre 1948). Though Judeophobia has been widespread in Europe for the past millennium, antisemitism—a modern specifically *racialized* discrimination against Jewish people as opposed to (and in addition to) discrimination and violence rooted in exclusion as essentialized religious minorities—followed the anti-blackness that was fundamental to the European project. The figure of the "Jew" was born out of both racio-religious animus/Christian hegemony and a belonging to the category of "European" related to and co-constructed with the logics of anti-blackness that created the borders of the continental color line and racial (i.e. white) belonging. Anti-Black logics informed machinations of the Nazi Holocaust because it offered a scientific, and so systematic/empirical/quantifiable, set of necropolitical tools and discourses for managing the long-standing Jewish Question as a racial question—a molecularized "Jew" provides an *essential racial* threat to the nation-state through purity discourses originating in medieval conceptions of biological difference within which Judeophobia and anti-blackness are intertwined (Mbembe 2003; Heng 2018). Returning to Wilderson (2010) in relation to Césaire,

> Auschwitz is not 'so unprecedented' to one whose frame of reference is the Middle Passage, followed by Native American genocide. In this way, Auschwitz would rank third or fourth in a normative, as opposed to 'unprecedented' pattern. Agamben goes on to sketch out the ensemble of questions that Churchill and Spillers have asked, but he does so by deploying the Jewish Muselmann as the template of such questions, instead of the Red 'Savage' or the Black Slave: 'In one case, [the Muselmann] appears as the non-living, as the being whose life is not truly life; in the other, as he whose death cannot be called death, but only the production of a corpse—as the inscription of life in a dead area and, in death, of a living area. In both cases, what is called into question is the very humanity of man, since man observes the fragmentation of his privileged tie to what

> constitutes him as human, that is, the sacredness of death and life. **The *Muselmann* is the non-human who obstinately appears as human; he is the human that cannot be told apart from the inhuman…The *Muselmann*, then, can be seen as a provisional moment within existential Whiteness, when Jews were subjected to Blackness and Redness—and the explanatory power of the *Muselmann* can find its way back to sociology, history, or political science, where it more rightfully belongs"** (bolding my own).

What is the particular position of the *Muselmann* in understanding Nazi genocide not only as endeavoring to destroy a people/peoples, but also through the active creation/production/ maintenance of racial subjection/abjection? How can we understand *Muselmann* as transcending racial categorization given the word's origin — it is a reference to how hunched and prone positions of emaciated and exhausted Jews in concentration camp resembled the religious prostration of Muslims — that "Muslim" is often used in its place? the place of "*Muselmann*"? (Agamben 1999; Weheliye 2008, 2014). The creation of the *Muselmann* rests not only in a management of the imperial German-cum-Nazi nation-state apparatus and the racialized definition of citizen specifically contained within it, but a reinscription of broader racialization produced by Europe's colonial endeavors within the German state regime, most critically, African enslavement and subjection. In opposition to Agamben's (1999) insistence that the subject victimized by the German exterminatory regime transcended existing racial caesura is the idea that the subject was killable by the very same necropolitical technologies field tested and perfected on indigenous Africans and others—the American reservation system notoriously informed the Nazi concentration camp (as did the treatment of indigenous Namibians during the Herero Wars and Britain's near-concurrent internment of civilians during the Boer War, as well as fascist Italy's internment structure in Cyrenaica/present-day eastern Libya), and so the figure

of indigeneity is imbricated in this always already racialized Jewish prisoner (Thobani 2012; Weheliye 2014). Defining the figure of the *Muselmann* necessarily entails an extraction of the figure from an anomalous Nazi state of exception[7] and a placement into a colonial racial assemblage characterized by an ordinary state of siege in which the racialized figure is simultaneously exterminated and produced (Mbembe 2003). The use of death camps, for example, was aimed not only at the elimination of Jewish [and other undesirable racialized] peoples, but also the production of a "surplus, an excess, not just 'absolute biopolitical substance' but the *Muselmann* as a racial category" (Weheliye 2014). This definition serves as a refusal to exceptionalize the application of genocidal logics and practice on what we *contemporarily* describe as "white-bodied" people. It is a refusal to submit to the "semiotic inflation that makes the Holocaust the primal scene of the original crime," which constructs the paradigmatic example of the violence of western modernity taken to its logical conclusion—a violence where "entanglements of bondage and liberty shaped the liberal imagination of freedom, fueled the emergence and expansion of capitalism, and spawned proprietorial conceptions of the self" (Hartman 1997)(Scott 2007; Weheliye 2014).

We can begin to see similarities and continuities in the logics of German racial production in Wilhelmine, Weimar, and Nazi moments. In re-articulating the continuity thesis (vis-à-vis *Sonderweg* or other historiographic claims of German exceptionalism), the last is far better understood through analysis of the first particularly because what became the Nazis' policy of racial cleansing was first enacted in South West Africa during the Herero Wars (Haas 2008;

[7] "…why must its most severe incarnation bear the heavy burden of paradigmatic exemplariness…? Why not simply examine the biopolitics of Nazi racism qua Nazi racism? Why must this form of racism necessarily figure as the apex in the telos of modern racial assemblages?" (Weheliye 2014: 59)

Baer 2018). Contrary to assertions made by the likes of Nikolas Rose (2006) and others, biologizations of citizenship and territorializations of a racialized nation-state identity are not unique to the Nazi regime; rather, they are fundamental to the liberal European project that contoured relationships between the unenslaveable white European and the racialized and enslaveable non-European "Other." The contrasted racial "Other" exists, foundationally, in a master/slave relationship to the dominating force of whiteness—we extract this from both the Hegelian dialectic and the sociogenic principle that followed (Fanon 1952). This is a symbiotic relationship grounded in the social death of the African native (here, the un-personing and then attempted genocide of native peoples), with only nominal recognition afforded through a relationship to/with European colonizers. The natives were alienated and socially dead persons whose own social orders were delegitimized (and eventually destroyed) and so had "no socially recognized existence" (Patterson 1982) outside of European subjecthood. This social death of the native—one rooted in eugenicist explanations of inferiority—justified segregation and barring of racial mixing. The [Black] socially dead person is a polluting person, and mixing compromises attainments of racial purity (Patterson 1982).

The modeling of this relationship is ultimately offered from the perspective of the colonizer. Per Fanon, the Black/Afro-diasporic/African subject suffers the "ontological 'flaw'" (Ciccariello-Maher 2017) of non-being which bars opportunity to enter a dialectic in which they could ever be recognized as Human. The Hegelian dialectic notably presumes a reciprocity and equality in recognition, and only nurtures an ontological inferiority within the Black/African subject by continually forcing them to self-define through a discursive framework of domination within which they have no epistemological authority. Blackness exists within the

sub-ontological realm where "Being" is impossible to claim. Attempting to correct and disalienate the subject (and also understand the complete trajectory from indigenous personhood to "native" colonial subject to post-genocide indigenous subject within a postcolonial "native"-ruled nation-state) means we must refuse both Hegel's presumed universality and Africanness (as opposed to Blackness[8]) as existing solely in its relationship to European coloniality, and root this narrative effort within indigenous epistemologies. Doing so necessitates continuing the interrogations posed by the Wynterian project, which calls into question the composition of the genre of human/Man where the definition of being human comprises "subjective experiences, which are 'culturally and socio-situationally determined,' [and] have at the same time, objective and physicalist correlates" (Eudell 2015) (Wynter 1999; Ciccariello-Maher 2017). Attempting to take up this Wynterian project entails—demands!—a resituation of the foundation of the human within African indigeneity, with close attention paid to both enduring and evolving scientific logics and practice classifying, expressing, and legislating anti-blackness both the German colonies and the metropole.

Discussions of genocide within the context of colonial violence become difficult and paradoxical because "the African *anthropos* who exist (not live) in the zone of nonbeing cannot suffer human rights abuses when they are in fact regarded as 'non humans'" and "non-humans cannot suffer human rights abuses" (Benyera, Mtapuri, and Nhemachena 2018). Other eugenicists believed that genocide was a means of purifying communities and the result of a stronger community's domination of a weaker one would be a sign of moral progress (Weikart

[8] About the limitedness of this binary, Édouard Glissant writes that where "the Western nation is first of all an 'opposite,' for colonized peoples identity will be primary 'opposed to'—that is, a limitation from the beginning. Decolonization will have done its real work when it goes beyond this limit"; see *Poetics of Relation* (1982).

2003). Culpability for genocide is also informed by this ideological genesis of property rights, i.e. a legal subjecthood revolving around the singular citizen-subject. It is, therefore, a part of the Eurocentric framing of genocide that responsibility for perpetrating acts of mass atrocity resides with guilty individuals and governments/political regimes as opposed to entire nation-states (Milanović 2006). The judgement at Nuremberg declared that "crimes against international law are committed by men, not by abstract entities, and only by punishing individuals who commit such crimes can the provisions of international law be enforced." But in the wake of the Nuremberg and Tokyo trials, in a jurisprudential moment also shaped by ad hoc tribunals (e.g. the former Yugoslavia and Rwanda) and the creation of the International Criminal Court, new legal attention has been paid to hybridized individual-structural notion of responsibility where acknowledging state responsibility does not preclude that of the individual (Nollkaemper 2003; Milanović 2006; Gaeta 2007). In asking such questions about complicity, international legal precedent has grappled with the tension of whether the real lead for genocide is the state or the agents working on its behalf: "What is the role of each?…There is no question that the state can act only through its agents. On the other hand, the agents, if acting within their powers, are acting only for and on behalf of the state. When genocide is committed, upon whom then must the curtain fall? Is the responsibility of one dependent on the other?" (Asuncion 2009) In the case of genocides committed before 1951 with the absence of the individual(s) *responsible* for the incitement and execution of a genocide, is justice simply a foregone conclusion although the material and spiritual violences are not resonant in the present?

The wartime genocide of the Ovaherero and Nama peoples was not only an incidental colonial practice, but a deliberate "race war" policy that later contours German formation and the

state's enactments of violence (Gewald 1998; Madley 2005; Zimmerer 2005; Kühne 2013; Wolfe 2016). A revisionist narration of German history teases out of the politics of Holocaust exceptionalism the foundational anti-blackness that the exceptionalism seeks to obscure. Because of the scientific research conducted on indigenous peoples by/within German South West Africa, which influenced the Nazi racial structure, we can understand German state violence as existing within a trajectory of state-specific but broadly continental coloniality that refined scientific technologies, population management strategies, and military campaigns on African peoples (Tilley 2011). Central to this revisionism is the imbrication of German colonial science and jurisprudence, which legalized racial inequality and foundationalized German claim to indigenous African land through means and ideologies not unlike the discovery doctrine in the Americas (Miller and Ruru 2009; Miller 2011; Watson 2006, 2011a, 2011b; Greenberg 2016; Heath 2017; Warikandwa, Nhemachena, and Mtapuri 2017; Nhemachena, Warikandwa, and Amoo 2018). In addition to the theorized relationship between the colonial science and the complementary German legal structure that enforced colonial dominance, there is also the contemporary legal framework within which Namibians are able to claim financial restitution for the genocidal violence as well as carry out a reparative process of land reform (Warikandwa and Nhemachena 2017).

For example, the Nazi death camp is a state of liminality and "violent reorganization of physical space where the marginalization and subjugation of conquered people became manifest" (Dedering 2012). The concentration camp space, as a part of the architectural structure of the Nazi's attempted domination and occupation of Eastern Europe, is materialization and replication of "methods and ideas" (Madley 2005) incubated during imperial Germany's colonization of

Namibia. The camp is a panopticonal space of managing labor, making race, and exercising control over the forcibly domesticated African, and it cyclically produced the anti-African subjection that scientific disciplines were fabricated, in part, to justify; its logic and functioning cannot be divorced from the discursive and structural relation between Jeremy Bentham's panopticon and the slave ship (Foucault 1977; Sharpe 2016). Mbembe (2003) notes that slavery, and the social death to which the enslaved were subjected and which configured hierarchal racial relations, "could be considered one of the first instances of biopolitical experimentation" and that the plantation structure became a template for the exercise of biopower and a modeling of the state of exception (Patterson 1982). The Hitlerist use of death camps, then, is the "appli[cation] to Europe colonialist procedures which until then had been reserved exclusively for the Arabs of Algeria, the 'coolies' of India, and the 'niggers' of Africa" (Césaire 1955). We can conceive of the camp, then, as not simply a site where expropriated labor is managed: it is a site within the racial geographic regime in which expropriated labor is rendered and produced, and from which it can be exported (Minca and Vaughn-Williams 2012; Barnes and Minca 2013). Fascism—the fullest extension of imperialism and what Robinson (2000) describes as a "phantasmagoria of race, *Herrenvolk*, and nationalism"—would bring slavery back to Europe via the Nazi concentration camp structure. Ghettoizations and internments were not simply the creation of racially segregated geographies, but rather part of a "wider and longer-running project of physical removal of those deemed 'undesirable'" (Cole 2016): it is the process of delineating spaces where some people are intended to live and others where people are sent to die. The process of expropriating land for agricultural production and mining, by delineating that which can belong to or be claimed by African peoples, is also—previously—a part of this process.

Previous South West African colonization is contrasted with Nazi colonial aspirations despite fundamentally shared logics and practices (including Adolf Hitler's explicit references to the United States' comparable ghettoizing treatment of its own indigenous communities): race war extermination, subjugated labor, community destruction, and social and political death (Zimmerer 2003[a], 2003[b]). The logics for racial management are rooted in sovereign claims defined by bounded territorializations of manufactured identity. The social Darwinist paradigm of the time informed an organismic view of community interactions within nation-states that were rooted in purity: these ideas underpinned *Lebensraum,* where *raum* contoured oppositional definitions of the self and the other within a regime of state-making that is always already racialized (Giaccaria and Minca 2016).

In contrasting genocidal antisemitism in Germany and the dehumanizing nature of the transatlantic slave trade, Wilderson (2010) describes a post-process[9] racialization of both [white] Jewish and Afro-descendant peoples. He writes that

> "the gratuitous violence of the Black's first ontological instance, the Middle Passage, 'wiped out [his or her] metaphysics ... his [or her] customs and sources on which they are based.' Jews went into Auschwitz and came out as Jews. Africans went into the ships and came out as Blacks. The former is a Human holocaust; the latter is a Human and a metaphysical holocaust. That is why it makes little sense to attempt analogy: the Jews have the Dead (the *Muselmann*) among them; the Dead have the Blacks among them."

[9] "*Post*-process" implies a finite ending to the racialized violence in question. Although the Nazi Holocaust definitively ended in 1945 following Germany's defeat in World War II, the western hemisphere is still contending with and existing within the afterlife of slavery. Despite the abolition of the slave trade and then the criminalization of the practice of slave labor (abolition only transmuted chattel slavery into a structure of racialized mass incarceration), we nevertheless exist in a carceral society whose ideological, social-political, and material conditions—particularly as it pertains to the formations of racial identities and the status of Black people/people racialized as Black—were informed by slavery.

He describes disparities in how white Jews (despite the tensions within whiteness[10]) and Black Africans emerged from their respective holocausts as fundamentally transformed peoples, and this differential transformation results from a disparate recognition of atrocities committed. Despite the failure to truly engage the fundamental causes of antisemitism and the Judeophobia that preceded it, the suffering of Jews presently racialized as white[11] is widely acknowledged and recognized and some financial recompense has been paid by the German government. But there have never been reparations for the transatlantic slavery; and despite the ongoing process of repatriating artifacts taken during German colonial rule, the German government has only recently (as of 2015) began to acknowledge its culpability for the genocide of Ovaherero and Nama (and Mbanderu and San) peoples in German South West Africa during the Herero Wars within the context of a race war. The government first acknowledged some responsibility for these atrocities in 2004, but has since refused to describe it pointedly as "genocide" and has continually ruled out the possibility for specific reparations. Using Wilderson's formulation, one can dually theorize processual transformation of identity through colonial interactions broadly and through genocide specifically. The colonial transformations of blackness constitute a desocialization and depersonalization that can best be described as social death (Patterson 1982). Within global white supremacy's scientific schema, racialized populations are understood as

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[10] Per a eugenicist logic of whiteness, an individual—even a person whose ethnic origin would otherwise see them racialized as white—cannot simultaneously be white and Jewish because "Jew"/"Jewish" was treated as a racial designation that connotes some kind of non-/sub-/extra-whiteness and so precludes full and *unconditional* assimilation into whiteness.

[11] There is a necessity to use "racialized as white" as opposed to "white" because of a *contemporary conditional* as opposed to unequivocal absorption of white-presenting Jewish people within the category of whiteness. Despite many Jews' phenotypical presentation as "white," the racial logics of whiteness have constructed *Jewishness* as an essential racial identity. *This* is the enduring nature and function of antisemitism (or, the compound "anti-Semitic" as it was originally written): it was the desire to legitimize of centuries of hegemonic Christian *Judenhass* ("hatred of Jews") by using the racist pseudoscientific convention of the mid- to late-19th centuries and designating/derogating Jewish people as a unique and inferior *Semitic* race (in contrast to the superior Aryan race).

constituting genetically distinct populations despite the incongruity between "genetically distinct" does not map onto our socially constructed racial categories—*population* difference does not constitute *racial* difference, where "race" corresponds to taxonomical differentiation beyond the species level. In understanding the scientific treatment of blackness as Africanness, Patterson's (1982) use of social death describes the negative practice in which the slave is introduced "into the community of his master," but, paradoxically, as a non-being. Where phenotypical difference has been hierarchized and enduring [pseudo]scientific rationale was employed justify colonial domination and territorialize domination within European states and colonies, it can be asserted that the now-globalized eugenicist regime of science and genetic ancestry is one that exists in service of whiteness and in affirmation of a worldview organized around a fundamentally European (that is to say, Westphalian) nation-state. Contemporary subjectivities of Namibian indigeneity cannot be decoupled from the European scientific and racial project (within which both the Namibian genocide and the subsequent Nazi Holocaust are situated), and a particular trajectory of German nation-state-making that has multiply necessitated attempted annihilation[12] (Zimmerer 2005).

[12] Though beyond the scope of this project, which focuses on the foundational German colonial genocide in South West Africa and its relationship to the subsequent Nazi Holocaust, it is critical to evaluate the role of Germany's ideological/diplomatic support and technical assistance in the intermediary Ottoman Turkish genocide against Christian Armenian, Assyrian, and Greek subjects from 1915-1923. We also cannot overlook the influence of Germany's brutal suppression of indigenous uprisings in German East Africa—the Maji Maji Rebellion—that occurred from 1905-07, and so were concurrent to the Ovaherero genocide. We might consider these genocides as part of a trajectory of German colonial materiality and racial geography (although Germany played a supportive as opposed to primary role in the Ottoman government's genocide), with extermination as "solution" to conflict with some racialized and/or otherwise minoritized population(s) and the German concentration camp as the militarized biomedical space anchoring the relationship between genocides in Namibia, the former Ottoman Empire, and Europe.

Chapter outline

This project aspires to be complementary to Ovaherero and Nama gestures towards reparative justice. Thus, it must — and attempts to! — embrace an altercentric historiography and approach to biological science that privileges Black/African indigenous positionalities not because of inherent biological difference, but because of how "the dialectic of socially constructed *otherness*…prescribes the liminal status of African-descent people…as beyond the boundary of the normative (Eurocentric) concept of *self/other*" (King 2006). It further seeks to create a narrativization of genocide that understands that the carceral biomedical logics and practices that animated and were yielded by it endure in the present: that neither memory nor violence are timebound to western linearity and that *decolonial scientia* both reorganizes and globalizes the scientific processes of genocide (Rothberg 2009; Mignolo 2015). Anti-/de-colonial approaches to narrative construction—an archeological excavation of discursive trajectories that disorder sociogenic processes of "language and knowing" and "uncovers the differential workings of power embedded in the ranking of languages in the modern/colonial world order" (Mignolo 2015) —will be important because of the particular interest in producing indigenous community-generated theory that interacts with and potentially counters hegemonic scientific thought (Foucault 1972). Indigenous methods are integral in grounding insurgent knowledge in a worldview that reflects the community in question, particularly as their knowledges and identities have been erased through epistemic violences and the post-colonial nation-state apparatuses in which they have been subsumed (Smith 1999; Mkabela 2005; Kovach 2009; Owusu-Ansah and Mji 2013). I am interested, particularly, in methodologies rooted in and informed by Africanity in order to produce working framework for understanding genocide that

is informed by continental (as opposed to American) blackness. This allows for the articulation of the subject-position of Namibian indigeneity that can be shaped by descriptors of genocidal and settler colonial processes while remaining uniquely African and not solely adopting/ adapting/importing blackness from the Afro diaspora, and particularly from African-Americans (Pierre 2013). In this way, a narrative is produced from a post-genocide postcolonial context of Africans as "ritual sacrificial imperial subjects" that have been "pushed to liminality…and dispossessed of their sovereignty, autonomy,…forms of personhood and of their land" (Nhemachena, Kangira, and Mlambo 2018). It serves as a discourse formation of indigenous Namibian othering and what can be described as the "coloniality of being" (Maldonado-Torres 2007) (Mudimbe 1988; Wynter 2003).

Simplistically, I had to begin with the question: what is genocide? How has it been standardized, and how is it colloquially understood and deployed? Proceeding from the institutional narrativization of Nazism as the progenitor of genocidal harm (i.e. as committing crimes against humanity so egregious that a new concept was created in order to describe that violence), I have two primary investigative aims in what is necessarily a sociological engagement of imperial eugenics. The first is to **explicate how the imperial process of identity construction of indigenous Namibians targeted for genocide interacts with and/or foundationalizes the logics of Nazi genocide**. In that, I will interrogate how the process through which the subjugated indigenous African was invented through scientific empirics. I will also seek to understand genocide as a *productive* as opposed to a solely *exterminatory* process and how this — i.e. a frequently occurring process of violent colonization animated-justified by biomedical science — both shapes and contradicts structures of genocide recognition. My second

aim is to **contrast accounts of [land-based] sovereignty that justify colonial claims with accounts of identity that forward ongoing reckoning efforts within affected communities.** I will investigate how Social Darwinist notions of *Lebensraum* ultimately produce both racialized German and indigenous Namibian identities, and how this system of race and property (which includes individual and personal autonomy and self-possession) yielded a system of biologized citizenship in the afterlife of the Ovaherero and Nama genocide.

I attempt a to produce an analytic framework that revolves, first and foremost, around the body and so very explicitly indicts imperial science vis-à-vis processual race-making: the African indigenous body as both a colonized and post-colonial subject exists within Eurocentric frameworks as a repository for historical and contemporary ideas about ethno-racial identity and ancestry. This approach, complementary to Fanon's exploration of the sociogenic principle, notably rejects the Cartesian position[13] by exploring not only a concept or phenomenon, but also the nature and constructions of consciousness and understanding within the human experience (Merleau-Ponty 1945). A specifically *racialized/Black African* phenomenology can be derived from Merleau-Ponty's work about sexuality: if we can understand one's gender as "wholly reflected in and reflective of existence" (Merleau-Ponty 1945) and that these indigenous Namibian communities' identities are continually made and remade through individual self-articulations (as well as the socio-medical technologies that subjugate them), then we might co-articulate a process of identity-making that is reflective of the violence inflicted upon these communities as well as a self-determining modality through which their existence—one at a

[13] Where the Cartesian position holds that the world is distinct from the self, this phenomenological position holds that the world is "both constituted by and constitutive of the self" and meanings of both are shaped through "the nonreflective taking up of the meanings, linguistic skills, cultural practices, and family traditions by which we become persons and by which things become evident for us" (Leonard 1989).

locus of Africanity and indigeneity—is most usefully understood. Through a phenomenology rooted in African bodies and materiality, we necessarily produce a construction of identity responding to scientific classifications of these indigenous communities because it is racialized notions of inferiorized Black Africans that drove the Ovaherero and Nama genocide and still undergird the scientific treatments of genetic identifications and classifications of indigenous Namibian ancestry. A holistic understanding of identity and knowledge cannot simply be a product of conscious articulations and description, but also through everyday practices and navigations of the world and a linkage of the structural and the collective to the individual.

Cornel West's (1987) writing on genealogical materialism, an application of Marxist historical materialism to African-American oppression, yields a "principle of historical specificity" that allows a historicized approach to the evolving structures of global anti-blackness. His second principle, the "principle of materiality of structured social practices over time and space," examines both discursive and extra-discursive (named by West as "modes of production, state apparatuses and bureaucracies"), which, here, facilitates analysis of the co-constitutedness of German imperialist production of indigenous identity, the resultant genocide, and the extension of these genocidal logics into the present. It is a critical historiography that takes race at its specific terms in and through time, but traces genealogies and trajectories to understand how imperial classifications and policy [co-]evolved along with scientific logics to produce racial categories and practice that are familiar to us in the present (West 1987). This dissertation project, historical revisionism at its core, is an examination of Germany's genocidal racecraft that must necessarily be trans-disciplinary because the creation of race does not occur within a single discursive (or extra-discursive) frame or scientific/academic discipline: the

frames are interconnected, and the recollection of their relation to one another informs how we understand history, property relations, human life, and genocide (Foucault 1972). It is thus necessary to interrogate anthropology, sociology, biology, genetics, geopolitics, law, and visuality in their multiplicity to understand how these fields each contributed to imperial science and its treatments of African indigeneity and justified the attempted sterilization, segregation, enslavement, and/or attempted wholesale annihilation of these African and Afro-descendant groups; the sociogenic principle can only be excavated through rhizomatic — that is to say non-linear and multi-directional — inquiry, as only non-linearity allows us to understand societal development through race from different subjectivities and perspectives (Deleuze and Guattari 1987).

I am offering an account that centers understandings of, relations to, and harm by structures, not simply as alternative histories but in service of the creation of a "non-imperial grammar" that is practiced "through unlearning the imperial one" (Azoulay 2019). In this vein, ubuntu philosophy offers a useful counter-hegemonic orientation and fashioning of what constitutes ethical personhood and humanity itself. As described by Panashe Chigumadzi (2018) in the Shona context, if one wanted to know if another was a person they might ask the question: *"Munhu here?"* or "Is this a human being?" One might answer yes or no depending on their conduct, because one's personhood is dependent upon their relation to others. One might also ask the question *"Kuaita kwemunhu here?"* or "Is this how humans behave?" either in reprimanding a child for their bad behavior or in addressing a particular group of people regarding historical treatment of Black/African people. In response to the foundational question *"Munhu here?"* one might respond: *"Aiwa, murungu*" or *"No, they are a white person"* because of their historical

mistreatment of indigenous people. Put otherwise, white settlers, have not been considered *vanhu*, people, because of their historic failure to treat the indigenous people with *hunhu*, humanity" (Chigumadzi 2018). As a Shona person, this way of knowing personhood translates into a scholarly responsibility compelling me to do two things. First, my personal and other African indigenous relationships to the dead has reframed my study of genocide to a study of violence as part of a commitment and responsibility to deceased people I understand as ancestors (i.e. the dead), though they are not *my* ancestors. It is a refusal to adhere to the Enlightenment bifurcation of science and religion and the privileging of positivism, which simply turned into a reformulation of Christian and colonial values that undermine assertions of African/Black personhood (Smith 1999; De Roover 2016). This project is necessarily trans-disciplinary because, as Trouillot (1995) describes, the professionalization of the discipline of sociology has enabled it make claims that align more closely with privileged positivist scientific production. Despite having been accused of not doing sociology, I, secondly, refuse to perpetuate a colonial narration that rigidly asserts chronological, ontological, and epistemological boundaries that foreclose possibilities of an intellectual robustness in analyzing relationships between imperial science, genocide exceptionalism, and genocide denialisms (Trouillot 1995; Schilt 2014). Rather than understanding my subjectivity as the thing that simply colors otherwise "objective" research work, I take seriously my subjectivity as an epistemic position that must displace hegemonic knowings and historicizations of genocide and German imperialism, an epistemic authority, and also a crucial means of entrée and making relation with survivor communities (Glissant 1997; Bhambra 2014).

My first ever visit to Namibia was in August 2018; I went for a preliminary pre-research trip to assess the research landscape. I tried to visit as many sites in the city as I could in those three weeks: the National Archive, the National Library, Heroes' Acre, the Independence Museum, the National Museum. One hot August afternoon, my uncle and I walked into the National Museum for a second visit; we had come the previous day to try to speak with the director, Esther Gaogoses — the Director of National Heritage and Cultural Programs and the first and only Black director of the museum since her appointment in 1996 — about museum's physical archival collection: newly repatriated Ovaherero skulls had arrived from Germany on Friday of the previous week, I had watched the handover ceremony on television with my uncle. We were told she had not returned to work since the return of the skulls and that there was an interim director acting in her place.

We ran into an older white man who we identified as part of the museum's staff. It was Bernhard Schurz, the senior curator of anthropology who had held the post since 1988. My uncle introduced us, telling him about my genocide research, to which the man quickly replied "Don't you know the entire genocide is a hoax!" and proceeded to share his grand theory about its concoction. He told us it was propaganda from the British who produced a wartime text that completely fabricated the facts of the so-called genocide during World War II as a way of discrediting the Axis Powers of Germany, Italy and Japan (which he multiply misidentified as the "Allied Powers," in addition to misidentifying the *Blue Book*'s publication as during World War II rather than World War I/1918). He brought us into his office to show us a text—one not translated into English, of course—that debunked the "theory" of genocide to which "the blacks" have long attached themselves. The name of the book, in German, is *Der Wahrheit eine Gasse:*

Zur Geschicte des Hererokrieges in Deutsche-Südwestafrika 1904-1907 (roughly translated to *The Gap in the Truth: The Story of the Herero War in German Southwest Africa).* The book was published by *Wissenschaftliche Gesellschaft* Swakopmund, the Scientific Society of Swakopmund, a town in the central coast of Namibia that remains an enduring reminder of German colonialism. He took us, then, to the museum's library to show us a title by German historian Horst Dreschler, the contemporary genesis of these (by his account) unsubstantiated claims of genocide, and further characterized as anti-German socialist propaganda. The book *Let Us Die Fighting: Namibia Under the* Germans, contains a preface by Sam Nujoma, the first president of independent Namibia — written by Horst Dreschler in 1966, it was the first text to describe Germany's 1904-08 military campaign as a genocide. On the cover is a photograph of Hendrik Witbooi, the Nama chief who was killed fighting against imperial German forces—he is seated, sternly looking into the camera and holding a rifle in his right hand. The title is taken from a quotation in a letter from Ovaherero chief Samuel Maharero to Witbooi urging for collaboration against German forces.[14]

After discrediting the work of another critical historian, Jan-Bart Gewald, his colonial apologia lapsed seamlessly into Holocaust denialism. His characterization of Nazi genocide was essentially that Adolf Hitler sought revenge against the "individuals" (said to us with air quotes) responsible for the Treaty of Versailles and the subsequent crippling of the German economy—

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[14] Maharero sent the letter to Witbooi through a German emissary, Hermanus van Wyk, who had previously mediated a peace between the Ovaherero and the Nama in order to stabilize regional security and facilitate German settlement. Both the Ovaherero and Nama leadership forged strategic alliances with colonial German forces, but in an attempt to unify the two groups against increasingly aggressive colonial encroachments, Maharero sent a written appeal to Witbooi saying: "I appeal to you my brother, not to hold aloof from the uprising, but to make your voice heard so that all Africa may take up arms against the Germans. **Let us die fighting** rather than die as a result of maltreatment, imprisonment or some other calamity. Tell all the kapteins down there to rise and do battle" (bolding my own).

an allusion to the frequently invoked omnipotent European Jews apparently responsible for orchestrating both global geopolitics and financial goings-on per old antisemitic tropes. There were many things I wanted to say, but instead, and fighting back tears, I tersely thanked him for his time, walked quickly out of the museum, and sobbed in the unforgiving Windhoek sun.[15] In so many ways, this encounter, while deeply upsetting, was an illustration of so many of the competing political interests and narratives involved in the discourses around this genocide: an assertion of genocidal violence and indigenous suffering met with non- or under-acknowledgement from Germany and its diasporans in Namibia, a revision of colonial intention and absolution of imperial German wrongdoing, and the refusal of still attendant political responsibilities (including land reform) considering the implications of the genocide in the present. The project is a thinking with and against, a re-visualization — a countervisual! — and assertion of genocide temporalities and German scientific historiography (Mirzoeff 2011).

Each chapter of this book considers a different community and their role and instrumentalization within the genocide apparatus. The first chapter considers the effects of the genocide on the targeted Ovaherero and Nama communities, the former of whom were explicitly named by von Trotha in his extermination order. After introducing ultimately genocidal anti-Black racial regimes produced through colonial science and medicine, it will directly engage hegemonic constructions through indigenous understandings of humanity (in explicit relation to this scientific dehumanization), land relations, and post-genocide transformations of community and personhood. Historical evidence indicates clear collaboration between military officers and scientists in the creation of these genocidal camps. The concentration camps would serve as the

[15] This account comes from a memo that I wrote in 2018 immediately after returning home from the incident.

space for collecting indigenous Africans displaced by German clearing of land, as well as a means of scientific experimentation and a provision of human remains for an increasingly demanding European market awash trafficking in racialist science—the massive death tolls in camps would produce an adequate supply to meet European demand (Erichsen 2012). The focal point here is the present containment of Ovaherero and Nama skulls in German, American, and other archival collections. Skulls exist as an anchor for Ovaherero and Nama reparation/ restitution claims, and provide as a useful proxy for understanding the relationship between scientific designations of identity and humanity, the imperial German military-scientific complex that orchestrated the structuring of concentration camp systems that facilitated the harvesting of Ovaherero and Nama remains, and the race science-informed regime of human rights that positions African indigeneity outside of the realm of the human (especially in considering ancestral burial practices as an urgent driver and accelerator of calls for skull repatriation). The collection and study of African skulls is a feature of a broader regime of race-making, and their capture has been described by Ovaherero and Nama community members as a continuation of genocide.

This second chapter considers the intertwined histories of the Basters (a mixed-race group of indigenous and European background), German oppositions to race-mixing in South West Africa, biological citizenship, and genocide continuity. Staying with the idea of genocide continuity and a multidirectional scientific historiography, Eugen Fischer's study of this group came to influence Nazi understandings of race and criminalizations of miscegenation and that were crystallized into the Nuremberg Laws, passed in 1935 (Rothberg 2009). Through this transnational framework of "bastard study," Germany's genocidal apparatus in South West Africa

becomes dialogical with the Nazi's: the framework illustrates the interconnectedness of genocidal practice through the institutionalization of Fischer's anti-Black studies of mixedness arcing from the Rehoboth Basters in South West Africa to the Rhinelander Bastards in Germany during the interwar period. A historiographic account that privileges continuity, ultimately, will historicize the interrelated systems of anti-blackness and antisemitism, a rebuttal of the fallacy that "racial science" and "Nazi science" are distinct as opposed to the latter simply being a place and time-specific manifestation of the former.

This final chapter describes how early 20th century desire to study the San (through, for example, specifically articulated desires to study "Bushmen"[16] brains, genitals, and other body parts) sets a precedent for contemporary genomics' study and fixation on the community because colonial discourses around primitivity have evolved into contemporary notions of "ancestry." The sequencing and tracing of San genomes is inextricably linked to the Eurocentric compulsion to enclose and define and hierarchize human life with the creation of a "human" that always precludes African indigeneity. The always already racialized genomics projects are occurring simultaneously to San communities being dispossessed of their land and turned into an underclass in their forcibly assimilated into nation-states. The chapter will address some of the forms of racial-identity making that do not neatly fit into the racialized science that structures both the colonial and post-colonial Namibian state, and also reiterate the idea that the scientific norms and conventions that stabilize the nation-state are necessarily anti-indigenous in nature. In the way that one could not possibly discuss diasporic blackness without engaging the markings and afterlife of slavery, we cannot understand indigeneity in present-day Namibia without

[16] This word has long been considered a slur and I will minimize its use outside of descriptions of archival records and other quotations.

treating the genocide/genocidal science as a watershed initiation of an ontological restructuring of a blackened African identity. The genocidal transformation of "the African" requires a severing of lineage and relationships to broad kinship structures, and this genealogical severing exists in service of broader policies and politics of social death that facilitate the creation of "the African" (and a preoccupation with its ancientness and apparent incompatibility with modernity).

Each of these chapters contains part of a number of puzzle pieces that, together, more clearly reveal the contemporary implications for indigenous materiality, ongoing debates around citizenship and post-apartheid reconciliation, reparations, and a comparative examination of treatments and understandings of genocide itself. These stories—whether of the specifically targeted Ovaherero and Nama (and San and Ovambanderu) peoples, the white supremacist fixation on the racially mixed Basters, or the over-studied San—aggregate into a troubled relationship with genocide recognition. The trouble is not with recognition itself, but in understanding the material and epistemic paradox presented by recognition.

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"Our lawyers argue that the court should apply international law of the era, including the 19th century prohibition on genocide, recognized by the restatement of international law of 1868… Restatement was a codification of binding customary international law…For those interested, check Section 535 of the restatement, which states clearly: 'Wars of extermination and annihilation against peoples and tribes capable of life and culture are violations of international law'… [Don't] the Hereros and Namas of the time fall within this definition? And was what happened to them not exactly that? Unless you want to argue that, my goodness, yes, we were not humans, we did not have life, and we did not have culture, we were objects. Which is exactly what the Germans are arguing in court."

Quote by Ovaherero Paramount Vekuii Rukoro from the Ovaherero Traditional Authority and Nama Traditional Leaders Association joint press conference on August 5, 2020

Chapter 1 — Rewriting the Concentration Camp

More than a century after the end of the 20th century German genocide of Ovaherero and Nama people in German South West Africa, multiple museum institutions are or were still holding fast to the remains of these victimized indigenous communities. Following numerous appeals for repatriation provenance analysis was undertaken in multiple collections — most prominently the Alexander Ecker Collection in Freiburg and the Charité Human Remains Project in Berlin — to confirm the Namibian origins of the remains and return them to their respective communities for traditional burial. The recent actions around the material remnants of colonial genocide demand historical contextualization. Through the process of indigenous demands being made of German institutions for repatriation, the long-contested histories of colonial dispossession and property ownership — all within a larger debate about scientific necropolitics and tensions and competitions between imperial and indigenous sovereignties as manifested by curatorial politics of the museum (and so of the chiefly western methodologies and practices therein) — have been reanimated. Saidiya Hartman (2007) describes the afterlife of slavery as a state in which "black lives are still imperiled and devalued by a racial calculus and a political arithmetic that were

entrenched centuries ago." Similarly, the afterlife of the genocide can be described as the ways in which imperial logics that organized and imposed meaning upon affected (i.e. killable and enslaveable) indigenous communities that previously experienced attempted wholesale extermination are maintained in the present. Thusly, we can follow a trajectory of theory and practice from the scientific racism-inflected racial geography and regimes of property ownership of imperial German settler colonization to the folding of skull-collecting into the post-colonial nation-states and institutions that refuse to adequately acknowledge the genocide or repatriate the remains, respectively.

Genocidal land claims

The land for conquest in German South West Africa, present-day Namibia, is the world's 34th largest and second most sparsely populated country. It is the driest of countries south of the Sahara Desert and its geography is framed by two deserts. The inland Kalahari Desert covers most of Botswana, as well as parts of northern South Africa and eastern Namibia; the coastal Namib Desert, perhaps the oldest desert in the world, spans the entirety of Namibia's western boundary and the southernmost parts of western Angola and the northwestern most part of South Africa. The majority of arable land, a tiny fraction of the country's total 318,261 square mile area (approximately 1%), resides in the central plateau, location of imperial and present-day capital Windhoek. Germany's settler colonial expansion in Africa was a colonization marked not simply by the desire to cultivate a captive labor force in order to accelerate the colony's economic development, but one of establishing dominion over this fairly small parcel of arable land (though other parts could be used for livestock grazing) which necessitated native

deterritorialization. To Ratzel, the victors in the struggle over space would be "racially pure peoples" that were "rooted in the soil," an autochthonous idea that drove German colonial settlement and expansion in Africa and Europe alike. The adapted-for-geopolitics Darwinian struggle for species existence was, in actuality, a racialized struggle for space wherein the state was a "the physical embodiment of the popular will and the product of a centuries-old interaction between a people and their natural environment" (Heffernan 2000; Elden 2016).

As with other colonial projects on the African continent, German settlement in South West Africa was facilitated through a colonial society: the *Deutsche Kolonialgesellschaft für Südwest-Afrika*, or the German Colonial Society for Southwest Africa, gained the rights to profit from mineral deposits, which in turn granted ownership of exploitable land (both for mining and agriculture) to the German colony and to German settlers. The claiming of land ownership, of course, placed settlers in competition and at odds with indigenous communities, many of whom staged uprisings against racist German rule. In 1896, an outbreak of rinderpest almost entirely decimated Ovaherero herds, and a subsequent disease outbreak resulted from the contamination of water sources by animal corpses, the consumption of diseased livestock, and broad malnourishment. In addition to the deaths of thousands of people, these conditions led to the erosion of traditional and political structures that had supported indigenous leadership. As a result indigenous communities were less able to defend against territorial encroachments by the Germans, and the impoverishment of Ovaherero communities led to many people "to sell their

labor to white farmers and businessmen as well as the colonial government"[17] (though the actual nature of this labor exchange was far from fully consensual or properly compensated) (Zimmerer 2003[a]). In considering the military campaign waged by the Germans, it is important to note that even though von Trotha was called to replace Governor Lutwein in suppressing indigenous resistance, but Lutwein himself believed that rendering the Ovaherero and Nama "politically dead" was a legitimate objective and outcome to a military campaign. And not simply political death, but also that indigenous social organization and structure should be destroyed and "they should be contained in reserves 'which may just be sufficient for their needs'" (Zimmerer 2003[a]). The consequence of Germany's native policy, a defining characteristic of settler coloniality, is the processual "dissolution of native societ[y] and the "erect[ion of] a new colonial society on the expropriated land base (Wolfe 2006). Regardless of the official request to rescind the extermination order, the incarceration of the Ovaherero and Nama in these camps "meant a prolongation of von Trotha's extermination policy despite the cancellation of his extermination order" (Kreienbaum 2011).

The genocidal intention is clear, and so too is the biologization of citizenship, i.e. the regime of governance that affixes bare life onto particularly colored and racialized bodies and always forecloses the possibility of full humanity or even legal personhood from Black (here,

[17] In a letter from von Trotha to the Chief of the General Staff of the Army, written just two days after his extermination order on November 2, 1904, he writes: "The only thing I wonder about now is how the war with the Herero is to be ended. The opinions about this, of the Governor and some 'old Africa hands' on the one side, and me on the other side, diverge completely. The former have long wanted to negotiate and they describe the Herero Nation as necessary labor material for future national use. I am of an entirely different opinion. I believe that the Nation as such must be exterminated, or, if this was not possible through tactical attacks, effectively expel them from this country through continued detailed treatment." A comparable November 1904 letter from General Alfred von Schlieffen to Imperial Chancellor Bernhard von Bülow states: "A coexistence between blacks and whites here will be very difficult after what has happened, unless they are kept in a state of perpetual forced labor, that is, a type of slavery. The burning race war can be concluded only through either extermination or comprehensive subjugation. According to current estimates, the latter procedure cannot be continued indefinitely as a practical matter. Thus, General von Trotha's intent is acceptable."

indigenous) people (Weheliye 2014). One of the first sentences of von Trotha's extermination order was the removal of the Ovaherero from German subjecthood: he orders them to leave the country and threatens war on them if they refuse. Von Trotha also extended this threat of extermination against the Nama people, writing that "the few who do not subject themselves [to the German empire] will suffer the same fate as the people of the Herero." Foundational to the binary of colonizer/colonizable is the notion of assimilability into the nation-state, and Enlightenment contract theory is clearly imbued with justifications for racial domination and enslavement reflecting the subject position of its architects and their positioning within white supremacy despite the rhetorical commitments to liberty equality (Mills 1997). Sylvia Wynter (1991) characterizes hierarchy in the colonial world as an "ontological existential struggle" between Imperial Man ("whose totemic eponym is the Indo-European") and non-Man where the former is the "figure of the human who is human against the rest of those different from it." There is no human here, simply the Imperial Man and those he subjugates, because the Imperial Man globally exports himself as the universal human and all of history is to be narrated through this triumphant subjectivity (Weheliye 2008; Sithole 2020). Racial orders — including the color line — are a systematization of this binary, an arrangement into the codified hierarchies asserted by imperial empirics and scientific methodologies (Wynter 2003; Weheliye 2014). Her statement that Man is "genetically redeemed" while the non-white non-human foil is "necessarily the genetically damned" is not metaphorical: the non-being "of African physiognomy" is rendered and registered as such through the ideas of heritable identity (i.e. ancestry and the corresponding geography-based ethno-racial/cultural categories) (Wynter 1991). The coupling of the Ovaherero ejection from German subjecthood was a re-articulation of anti-Black alienation: of indigenous

Africanness as a negation of the Imperial Man and his community and the statement of a killable life unworthy of living because of the obstacle it posed to settler conquest.

Genocide was, thus, the necessary means through which these territorial conflicts over land would be settled because equitable negotiations were an impossibility within this colonial relationship. The state of exception invoked by war—a disruption of the *normal* colonial order of subjection—acted as a catalyst for the concretization of pre-war views. The war marked the passage of a number of colonial ordinances intended to further entrench German claim to Ovaherero and Nama territories. In 1907, alone, the Control Ordinance, the Pass Ordinance, and the Master and Servant Ordinance were all passed; together, they provided the scaffolding for a state to more efficiently and effectively regulate indigenous movement, a definitional marking of blackness through spatial regulation and subjugated labor relation. Von Trotha's declaration of a "race war" was a production of racialized and geographies created through a of premeditated extermination and "cleansing" of space through internment and labor/prison camp structures (Erichsen 2003; Zimmerer 2003[b]). The so-called "native ordinances" concretized a colonial surveillance structure within an incontestable legal framework, the logical conclusion of the "native policy" that had been established by Governor Lutwein: "the policy of total control over the indigenous population and their availability was at the very heart of colonial rule from the very first consideration of how working relationships should be regulated as early as 1894 (Zimmerer 2003[a]). If we understand the construction of the nation-state as an inherently securitizing practice, and the foundational concept of *Lebensraum* as linking western nation-state legitimacy to a kind of biologizing criteria for citizenship, then we can understand native ordinances as panopticonal practices, also, as those that mark the bodies of an individual or

group of people and preclude them from full integration and assimilation into a nation-state (Brown 2015).

Concentration camp formation and German eugenic science

The phenomenology of the concentration camp structure in German South West Africa can be understood in two key ways. The first and primary use of concentration camps was for the deterritorialization of Ovaherero and Nama land after the repeal of von Trotha's extermination order: an ongoing punishment of indigenous rebellion and a means of capturing a labor force (Kreienbaum 2012). The actualization of *Lebensraum* within the German colony, i.e. the creation of *rehabilitated* German space, demands a "black bodily and geographic liquidation": that the camp was a part of a broader campaign of "reimagining and cleansing space" and the creation of that space by concentrating native populations into allocated segregated space — this might be best illustrated by an imperial order regarding the "provisional accommodation and provisioning of the *remnants* of the Herero people" (Zeller 2003; Ansfield 2015; Cole 2016). It is, further following Dylan Rodriguez (2021), "anti-Blackness and racial-colonial power [that] are the unspoken, illegible *preconditions* for the term's articulation as a meaningful referent" to the ur-genocide: the Nazi Holocaust. The camps were "the space of the modern," where European racecraft heavily coalesced around a labor-based color line initiated after the exclusive enslavement of indigenous Africans (Mrázek 2020). Like the native South Africans also interned by the British during the Second Anglo-Boer Wars (1900-1902), the interned Ovaherero and Nama were also forced to provide labor to the colonial state, as well as to white farmers and German companies (Zimmerer 2003[b], Benneyworth 2019). In describing the forced labor

apparatus as alleviating the Herero of their "work-shy[ness]," Governor Friedrich von Lindequist evokes an old eugenicist logic whereby forced labor becomes a physiological and psychological correction for inferior Black people (Braun 2014, 2015). The racialist science pronounced that it not only gave the Ovaherero purpose as their livelihood had been all but destroyed when a rinderpest outbreak killed their cattle herds, but it would also serve as a disciplining regime to prepare them for participation in a racially subjugated post-war workforce (Zimmerer 2003[b]; Pitzer 2017). There was also an intended educational component to internment, one that sought to position dispossession as beneficial. This was explicitly articulated by Governor Tecklenburg who stated: "The more the Herero people experience for themselves the consequences of the uprising, the less they will yearn for a reputation of the experience for generations to come…and the future generation will…have sucked in with their mother's milk the beneficial effect of subordination to the white race" (Zeller 2003).

In a seeming paradox, the process of genocidal elimination was a productive one. The logics driving the justification and acts of genocidal violence, for example, are the very same processes of racial formation where multiple iterations of African colonization and enslavement yielded anti-black racism as a guiding "master category" which in turn produced affirming ideas of citizenship and national belonging as a racialized "primordial peoplehood" (Omi and Winant 2014). It is through genocide (a method of population/racial management, to be sure) of the indigenous peoples of present-day Namibia — and the scientific episteme that affirmed and naturalized a white-over-Black racial hierarchy — that Germanness was stabilized. Not only were the scientific field, laboratory, and clinic sites within which the German nation could be imagined, the Wilhelmine colonial project became "an attempt to implement a modern utopian

state and economic concept" that could be comparable to the metropole (Zimmerer 2003; Anderson 2006). Chattelization was the logical conclusion of scientific racist ideas of Black African aptitude and capability, but indigenous womanhood was specifically produced through the matrix of racialized labor and gendered violations within the concentration camps.[18] The majority of the prisoners at Shark Island between 1905 and 1908 were women: in his 1941 writing, Nigel Faros described Ovaherero women as "an everlasting taunt to the lonely white men" and the male population of Lüderitz, German concentration camp administrators, and European men transiting through the port took advantage of female prisoners who were either largely unable to consent (or, more critically, unable to refuse their advantages) or were engaged in survival sex work (Erichsen 2003). These sexual humiliations were immortalized in the postcards that comprised an important part of the visual economy of German colonization. One photograph taken by German officer Lieutenant Düring portrays a naked Ovaherero girl standing in a small shelter, likely a guard's housing unit, covering her private parts with the tattered remains of her ripped dress — the sexual exploitation of Ovaherero women was not only accepted, but celebrated, and many of these [semi-]pornographic postcard images were circulated throughout the colony or published in the diaries of officers and officials (Olusoga and Erichsen 2010).

Secondly, the concentration camps were materialized by and were the site of production of a militarized science so named because of the intimate collaborations between colonial military and administrative structures in German South West Africa and medico-scientific

[18] In his *Blue Book* statement, Samuel Kariko (Ovaherero schoolteacher and son of Under-Chief Daniel Kariko), who was sent to Shark Island specifically mentions that the "younger women were selected by the soldiers and taken to their camps as concubines" (Silvester and Gewald 2003). Despite apartheid era legal restrictions on interracial marriage, "a large percentage of Hereros have unusually light complexions," which is likely a reflection of these sexual violations (Erichsen 2003).

structures in Germany — this was a scientific episteme within which "national, imperial…and scientific infrastructures" were co-constituted. In line with violent settler colonization, the concentration camp further confined indigenous peoples to what was decided to be their homes — internment was the removal component necessary for the materialization of German space in Africa, further demonstrating *Lebensraum* as imperial material politic rather than simply and ideological one. Genocide via concentration camp occurs not in what is described as "places of exception," but across "multiple spatial acts of displacement, relocation, concentration, and segregation being carried out simultaneously" (Gigliotti 2009; Stone 2016). Even prior to the establishment of the German colony in South West Africa, German naval forces: the HSM Gazelle was acquiring "everything collectible" that the crew encountered at ports, and "by the 1890s, the [*Museum für Völkerkunde* (Royal Museum of Ethnology)] and Navy's relationship had so strengthened that '[t]he Navy's collecting duties developed an occasional activity for officers during their leisure time to an *integral part of its operations.*" These scientific operations transformed quotidian colonial administration into a critical component of German cultural ideology (Zimmerman 2001). It is an episteme that was materialized from this moment and structure of coloniality, but it should not be described as a "colonial science." "Colonial science" often designates theoretical frames that guide experimentation and practice that are distinct from those of the metropole. It is not a subjugated science, a distortion of *real* or *true* science, but rather a geographically separate expansion of scientific praxis that had been occurring in Germany and across Western Europe (Tilley 2011). The camps induced the very conditions of ill health they sought to study: they were simultaneously a system of native containment and concentration *and* sites of collection for the biological matter desired and needed for the

continuation of eugenic science. They facilitated an anatomic study of Black African/indigenous peoples as a "dysgenic Other," as a part of a sociogenic evolution of scientific race-making and corporality whose logics demanded a sacrifice in the name of a colonial German nation and persist in the post-colonial present — in the afterlife of genocide (Borneman 2004; Ansfield 2015; Mignolo 2015).

In the decades just prior to the camps' creations, new European regulations had been created to criminalize the practice of "body snatching," the taking of corpses and body parts to be used as medical specimens from executed criminals. The parts were desired because comparative research in anatomical study was rapidly emerging as a scientific field as science was understood not simply as a theoretical body, but also one necessitating experimentation and practice per the scientific method's emphasis on replication and reproducibility (Tilley 2011). The creation and passage of these laws meant that domestic remains and specimens were being collected with less frequency, and so anatomical collections "were supplemented by an array of remains brought from far-away countries, in many cases, from colonies or regions soon to be subjected to European colonialism" (Kößler 2018). Institutionally, one of the major organizational bodies in the field of human collection was the Berlin Society for Anthropology, Ethnology and Prehistory (BGAEU), founded by pathologist Rudolf Virchow and anthropologist Adolf Bastian. Most of the human remains extracted from the colonial genocide in South West Africa ended up in the archival collection of the Berlin Anatomical Institute, the director of which, Wilhelm Waldeyer, was a member of the BGAEU. After the Anatomical-Zoological Museum closed and its materials were transferred to the Natural History Museum in Berlin in 1884 — the formal beginning of the German colonial occupation of South West Africa. This is

also the same year that Waldeyer began collecting human specimens at the Anatomical Institute at Berlin University (now, the Center of Anatomy at Charité). The source of the steady supply of human remains from the African colony was a result of the enduring relationships Waldeyer maintained with a number of his students who went on to become medical doctors in the imperial German army who sent him materials for his research. He leveraged these relationships in requesting and receiving the brains of Black natives from the *Schutztruppe* in 1905-1906. The scale of complicity in the acquisition and transportation-trade of human remains from the colony is vast, with "colonial administrators…Stabsärzte (staff surgeons), government doctors, and veterinarians" participating in "equal measure" (Stoecker and Wilkelmann 2018).

We can identify three main phases of the collection of human remains in German South West Africa and transport to Berlin. The first period is in the pre-war early days of colonial rule, the period from 1884-1903; in the 1890s, imperial military officers increasingly began to participate in the collection and trade of human remains. The second period is during the 1904-1908, in which skull collectors were most notably "colonial and medical officers" who used the cover of war as an "opportunity to obtain much-coveted study material" (Kößler 2018; Stoecker and Wilkelmann 2018). Dr. Hugo Bofinger was in German South West Africa from early 1905 until June 1907, and during his time in the colony he headed the ward for imprisoned natives and founded the bacteriological laboratory in Lüderitz Bay on April 23, 1905 and served as staff surgeon for the *Schutztruppe* from August 18, 1905. While working in Field Hospital XII on the Shark Island concentration camp (which was in close proximity to the bacteriological laboratory space), Dr. Bofinger performed experiments and autopsies on deceased prisoners for his study of scurvy's still-unknown origins, which many prisoners were susceptible as a result of

chronic malnutrition resulting from inadequate food provision and a disruption of indigenous diets (Zeller 2003). But Bofinger's work was falsely premised on the idea that scurvy was contagious and transmittable via bacteria, and facilitated medical trials in which living prisoners were injected with substances like arsenic and opium (Olusoga and Erichsen 2010). During this time, it is estimated that heads of numerous deceased prisoners were removed, preserved, and sent to Berlin—this is corroborated by material evidence on skull remains in the Charité collection, whose inscriptions indicate that possession of skulls came from a handover between military physicians or colonial officers and scientists in Germany (Human Remains Project 2011). The final stage of this collection was the post-war period, from 1909-1914, a period of a more materialized colonial infrastructure. Collection was more varied, and included "[colonial] administrators, government doctors and geologists, or cartographers and land surveyors" each working in formal capacities (Stoecker and Wilkelmann 2018).

Provenance and contemporary scientific practice

We can look to two scientific collections as case studies for examining the contemporary politics of skull-collecting, provenance, and restitution: the Charité Human Remains Project in Berlin and the Alexander Ecker Collection in Freiburg. While comparative anatomical study was a part of embraced scientific practice of the time, we might conceptualize them as a ritual practice: that this militarized science that complemented-justified-perpetuated genocidal processes is a perversely sacralized scientific method and study, a genocidal science that produces white German life through the severing of indigenous/Black African ancestralization (Stepputat 2014). Through the process of indigenous demands being made of German institutions for repatriation,

the long-contested histories of colonial dispossession and property ownership — all within a larger debate about scientific necropolitics and tensions and competitions between imperial and indigenous sovereignties as manifested by curatorial politics of the museum (and so of the chiefly western methodologies and practices therein) — are being reanimated. We can refer to this collective archival praxis of acquisition, display, and withholding as *archival incarceration*, which seeks to describe museum holding as an expression of state governmentality. Carceral describes the arresting of historical record and, thus, time itself in such a way that indigenous peoples are always pre-historical and pre-modern: they represent pasthood and primitivity via permanent affixing within historical ethnographies, and so are always beyond the possibility for present citizenship (Bennett et al. 2018). They exist as edification and entertainment for *citizens*, a constant reification of the distance between the [white] citizen self and racialized/indigenous other (Maguire and Rao 2018). The word also describes the holding of biomatter as a part of the structure of imperial securitization as human remains and cultural artifacts were often taken from colonized and occupied populations — positioned as civilizational threats to coloniality — as trophies and objects of study that stabilize historical record and foreclose alternative historiographic possibility (Maguire and Rao 2018). In its "forensic death-writing," the carceral archive (a tautology) produces what Dan Hicks (2020) describes as "necography." Finally, the term describes a process of acquisition (whether provenance is "legal" or questionable at best) that functions alongside state processes of enclosure and primitive accumulation that commodify indigenous material cultures (while disappearing the peoples themselves) and then permanently extracting them from their community contexts such that objects no longer narrate life, but

"death histories." Archival registries are not value-neutral records, but documentations of looting (Azoulay 2019; Hicks 2020).

Between 2010 and 2013, the Charité project researched the origins of the remains of 57 men and women from then-German South West Africa held within the collection. The project was undertaken because at least nine of the skulls could be assigned provenance to the colonial genocide, specifically the 1904-08 war, and the organization needed to ascertain provenance prior to repatriation. Three restitutions from this collection have taken place and twenty skulls (eleven Ovaherero and nine Nama) were to be returned to Namibia: the first in September 2011, the second in August 2014, and the third in August 2018.

Table 1.1: A descriptive overview of the skulls analyzed in the provenance research in the Charité archives. The table details the collection ("S" designates the skull collection, while the prefix "A" refers to the general anatomical collection), the remain, the piece's acquirer or handler, the year and location of remains acquisition, the predicted identity markers, and year of restitution. Looking specifically at the skull A 810 and cross-referencing Charité's provenance documentation, Christian Fetzer wrote: *"Die Köpfe stammen von Gefangenen aus dem Aufstande in Deutsch-Südwest-Afrika im Jahre 1904, die auf der Haifisch-Insel interniert und dort an Krankheiten, meist an Skorbut, gestorben waren"* ("The heads stem from prisoners of the uprising in German Southwest Africa in 1904 who were interned on Shark Island and had died there of diseases, mostly of scurvy"). Fetzer and anatomist Dr. Paul Bartels used this skull for their research, and because of its place of origin, it is likely that concentration camp staff surgeon and head of the native ward Dr. Hugo Bofinger played a role in the transfer of the skull from German South West Africa to Germany

(from pp. 19-21 of Holger Stoecker and Andreas Winkelmann's 2014 paper "Skulls and skeletons from Namibia in Berlin: Results of the Charité Human Remains Project)

An overview of the findings from the provenance research, sorted by collector/researcher/deliverer

Collection no.	Remains	Collector/researcher	Time	Place	Sex/age	Ethnic attribution	Restituted
S 4708	incomplete skeleton	?	?	Walfishbay area	m 30–60	Nama	2018
A 787	skull	Bartels	1904–8	Shark Island	m 16–20	Nama	2011
A 788	skull	Bartels	1904–8	Shark Island	m 3–4	Nama	2011
A 789	skull	Bartels	1904–8	Shark Island	m 40–50	Nama	2011
A 790	skull	Bartels	1905/07	Shark Island	f 30–40	Nama	2014
A 792	skull	Bartels	1904–8	Shark Island	f 19–20	Nama	2011
A 793	skull	Bartels	1904–8	Shark Island	m 45–50	Nama	2011
A 794	skull	Bartels	1904–8	Shark Island	m 30–35	Nama	2011
A 796	skull	Bartels	1905/06	Shark Island	m 20–25	Herero	2011
A 798	skull	Bartels	1905/07	Shark Island	f 25–40	Nama	2018
A 801	skull	Bartels	1905–7	Shark Island	f 25–30	Herero	2011
A 802	skull	Bartels	1905–7	Shark Island	m 35–40	Herero	2011
A 803	skull	Bartels	1905–7	Shark Island	m 25–30	Herero	2011
A 807	skull	Bartels	1904–8	Shark Island	m 40–45	Nama	2011
A 808	skull	Bartels	1904–8	Shark Island	m 17–20	Nama	2011
A 809	skull	Bartels	1904–8	Shark Island	f 45–55	Nama	2011
A 810	skull	Bartels	1904–8	Shark Island	f 23–30	Nama	2011
A 813	skull	Bartels	1905–7	Shark Island	m 20–25	Herero	2011
A 817	skull	Bartels	1904–8	Shark Island	f 20–25	Nama	2011
A 833	skull	Bartels	1905–7	Shark Island	m 20–35	Herero	2011
A 834	skull	Bartels	1905–7	Shark Island	m 30–40	Herero	2011
O Cha V63	left scapula	Borchmann	1896	Gobabis	adult	Nama	2018

Continued

Collection no.	Remains	Collector/researcher	Time	Place	Sex/age	Ethnic attribution	Restituted
S 4539	skull	Goldammer, Hansemann	1904/05	German South West Africa	m 25–35	Herero	2018
S 4540	skull	Goldammer Hansemann	1904/05	German South West Africa	f 30–50	Nama	2018
S 4567	skull	Hansemann	After 1905	German South West Africa	? 30–40	Herero	2018
S 4568	skull	Hansemann	After 1905	German South West Africa	f 20	Herero	2018
S 1322	incomplete skeleton	Kaiserl. Gouvern.	1906	Outjo	f 30–50	Damara	2014
S 1323	incomplete skeleton	Kaiserl. Gouvern.	1906	Outjo	f 12	Damara	2014
S 840	skull	Kuhn/ Eggers	c. 1900	Otjituo	f 20–30	San	2014
S 841	skull	Kuhn/ Eggers	c. 1900	Otjituo	f 18–20	San	2018
A 805	skull	Lotz	1909/10	Buntfeldschuh (Sperrgebiet)	m 6	San	2014
A 811	skull	Lotz	1909/10	Buntfeldschuh (Sperrgebiet)	m 30–40	San	2014
A 819	skull	Lotz	1910	Zillertal / Kolmannskuppe	m 30–35	Ovambo	2014
S 865	skeleton	Lübbert	1899/1900	Grootfontein	f 13–17	San	2018
S 866	skeleton +mandible865	Lübbert	1899/1900	Grootfontein	f 16–18	San	2018
S 4016	skeleton	Moritz	1911/12	South Namibia, Aurus mountains	f 30–55	San	2014/ 2018
S 4017	skull	Moritz	1911/12	South Namibia	m 18–20	Nama	2014
S 591	skull	Perbandt	1898	near Walfish Bay	f 20–30	Nama	2014
S 592	skull	Perbandt	1898	near Walfish Bay	foetus	Nama	2014
La 6702	skull	Schultze-Jena	1903–5	Zachas (near Gobabis)	f 12–18	San	2018
La 7209	skull	Schultze-Jena	1903 or 1905	Swakopmund	m 45–55	Herero	2018
A 1914/83	skull/mask	Seibert	1912	Windhoek	m 17–20	Ovambo	2014

Continued

Collection no.	Remains	Collector/researcher	Time	Place	Sex/age	Ethnic attribution	Restituted
S 4010	skeleton	Seiner	1911/12	Kavango area		Ovambo	2018
S 4011	skeleton	Seiner	1911	Epata or Grootfontein	m 18–20	San	2014
S 4012	skull	Seiner	1911	Epata or Grootfontein	? 7–9	San	2014
S 4013	skull	Seiner	1911/12	Kalahari/ Omaheke	f 20–24	Herero	2014
S 4014	skull	Seiner	1911/12	Kalahari/ Omaheke	f 18–19	Herero	2014
S 4015	skull	Seiner	1911/12	Kalahari/ Omaheke	f 18–20	Herero	2018
A 299	skull	v. Gwinner, H. Virchow	1904–8	?	m 15–17	Herero	2011
A 299	skull	v. Gwinner, H. Virchow	1904–8	?	m 18–22	Herero	2011
S 4179	skull	v. Zastrow	1913(?)	near Grootfontein	m 20–30	San	2014
La 5771	skull	Volkmann, Krantz	1894–1906	German South West Africa	? 20–30	Nama	2018
S 593	skull	Wissmann	1898	Okahandja	f 10–15	Nama	2014
A 50	skull	Zöllner	1904/05	Epukiro, Omaheke	f 35–40	Herero	2014
A 51	skull	Zöllner	1904/05	Oviumbo (Okahandja)	f 25–40	Herero	2014
S 1105	skull	Zürn	1901/04	Okahandja	f 50–69	Herero	2018
S 1338	incomplete skeleton	Heimann	1909	Tsumeb	f > 60	(prehistoric)	2018

Note: Numbers with prefix A belong to the anatomical collection, and all others to the S collection.[52]

The process of assessing and establishing provenance is summarized by Holger Stoecker and Andreas Winkelmann in a 2018 paper, the first comprehensive report on the organization's research on the matter of human remains. The process begins with a given item in the collection and examination of documentations, i.e. accompanying notes within the archival catalogue of inscriptions on a skull. This information would yield identifying descriptors like biological sex, ethnic identity and geographic origin, and the identity of the individual or organization that had acquired or handled the skull. One major challenge in identification, however, was in the inconsistency of documentation: the documentation for the "S Collection" (the collection of skulls) had been almost entirely lost during World War II[19] and only the anatomical pieces remained. Because community members from whom the skulls originated objected to invasive/ destructive physical anthropological methods of classification (i.e. "DNA tests, strontium isotope analysis and histological examination of the bones") in order to keep the remains as intact as possible, non-invasive methods like observation and measurements were utilized to assess age and sex (and also, for example, historical cultural modifications made to an individual's teeth can identify them as Ovaherero), as well as paleopathological predictions such as the endurance of physical trauma or illness prior or contributing to death (though cause of death is difficult to determine without the remainder of a corpse). Non-invasive observations can also determine

[19] There is a similar gap in the records of the "Kaiserliche Schutztruppe für D.S.W.A." (the imperial forces for German South West Africa) in the National Archives of Namibia in Windhoek — these military records are of interest because of the support from military surgeons and officers in acquiring and transferring skull remains from the African colony to scientific institutions in Germany. The note in the archive marking military records from 1896-1915 reads: "Please note that most military records had been transferred to Germany, where they were destroyed in World War II, and further records were destroyed by the South African administration." See Appendix I, image 1.

taphonomic characteristics, such as the method of storage after death, by examining the nature of weathering and deterioration. If it is determined that a skull was acquired through grave desecration and excavation, it would unlikely to examine skeletal remains for evidence of maceration, the process of softening organic tissue by soaking for future removal from the bone to prepare a bone specimen[20] (Stoecker and Wilkemann 2018).

The acts of German identification and desecrating Ovaherero and Nama gravesites in order to extract skeletal remains is inextricably linked to land surveying and mining expeditions, a part of the broader regime of imperial racial geographies. While not a part of the Charité collection, the bones presented to Rudolf Virchow, co-founder of the Berlin Society for Anthropology, Ethnology and Prehistory, by Waldemar Belck exist within the same network of 19th century German metropolitan anthropological collections. Belck's grave-robbing was not a result of the land politic, but rather "an immanent component of an imperial assertion of the right to rule, exploit and know, which alongside land and mineral concessions, also included anthropometric data," which was valued in racialist studies of human variability (Wittwer-Backofen et al. 2014; Förster et al. 2018). According to Belck's own documentation, the three individuals — Jacobus Hendrick, Jacobus !Garisab, and Oantab — were killed on March 30, 1884: "all three were Hottentots" and at least two of the three men were suspected to be Zwaartbooi Nama. As he writes also that the "bodies were buried by the Hottentot King Jan Jonker Afrikander," he is admitting to grave robbery. The skeletons supplied by Belck were well received in Germany, with Virchow announcing before the BGAEU that they were "the only

[20] Although grave-robbing was one means by which skulls were acquired, indigenous women in German concentration camps — most infamously at Shark Island — were forced to clean the skulls of deceased in order to prepare for the skulls to be collected and sent to Germany.

[skeletons] of Hottentots from the Namaqua Land to be found in Europe" and that they were "good examples of the old race" (Förster et al. 2018). As with the present debates around restitution and repatriation, Belck's theft of these remains in December of 1884 was also subject to community anger. Belck was called on by the local community to leave Hendrick's skull for his daughter, but he instead left the damaged skull of Jacobus !Garisab—in a way, this marked a kind of precedent for the subsequent discourse and practice of deceptive and disingenuous European restitution, as well as demonstrating indigenous opposition to the very practice of remains collection. Further, while greater discursive attention is paid to the process of extraction and resultant material contributions to the body of German anatomical work, indigenous orality presented a counter-narrative mythos rooted in a kind of spectacular horror. Hans Axasi ǂEichab, a Khoekhoegowab[21]-speaking historian, describes familial-cultural lore around grave robberies from the early years of German colonialism (i.e. the first phase of skull collection):

> "I can vividly recall how my grandmother told us horrific stories about a raid, massacres, rapes, abductions, desecration of the dead, burials and exhumation and exportation of human remains in the lower !Khuiseb over the waters (i.e. sea) to somewhere. … We, then as children took it up just as stories about the mythological Khoegaroen (i.e. meneaters) …, but now I realized that it is my own flesh and blood" (Förster et al. 2018).

The second case study, the Alexander Ecker Collection at the archives of Freiburg University, is of particular interest because of the history of its former curator, Eugen Fischer[22]. In addition to being the Ecker Collection's curator following the 1887 death of its founder, Fischer was also the

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[21] "Khoekhowgawab" is the full expression of the Khoekhoe language, a part of the Khoe language family. It is spoken primarily by the Nama and Damara people, and it is one of the officially recognized languages of the Republic of Namibia.

[22] The second chapter engages the trajectory of Eugen Fischer's "bastard studies" from German South West Africa to Berlin.

founding director of the Kaiser Wilhelm Institute for Anthropology, Human Genetics and Eugenics — a prominent institution in the Nazi scientific apparatus — from 1927. Prior to Fischer assuming curatorial control over the Ecker Collection and during a hiatus from 1887-1900, there were no non-European remains that came into the collection. But under Fischer's leadership, remains were collected most notably from Germany's colonies in South West Africa and the northeastern part of Papua New Guinea (then, Kaiser-Wilhelms-Land). Additionally, Fischer expanded the collection to be inclusion of "soft part anthropology" (which includes the examination of muscle, ligaments, and other soft tissue matter) in addition to the collection of skeletal remains. While the collection does not contain soft tissue preparation, Fischer did make a request for a "bushman penis" in 1913 in order to study and make claims about the evolutionary status of the San[23] because of how they represented a particularly "elaborate and grotesque" image of blackness/Africanness and epitomized impurity and social-biological (and biophysiological) pollution (Kristera 1982; Patterson 1982; Steinmetz 2007; Kößler 2018). In 1908, Fischer, though traveled to German South West Africa to begin his research on the Rehobothers. During his time there, it is believed that he excavated a number of graves near Swakopmund and Walvis Bay that he believed to be Nama burial sites. In his autobiographical writings titled "Encounters with Dead People," Fischer describes excavating remains in the Namibia Desert near Walvis Bay believing them to be remains belonging to the the ≠Aonin (Kuiseb Topnaar) community, a Nama group. He describes also the process by which he acquired them, writing: "As drivers and diggers I used two Cape boys, since **I tried to avoid taking native Hottentots or Hereros in this case, who presumably might have considered it**

[23] We will return to the particular attention paid to the San in the third chapter about genomic sequencing.

painful that for scientific purposes that were beyond their comprehension we would disturb the peace of the graves of their own kind" (bolding my own) (Kößler 2018). His archival collections do not offer details about these excavations, but there is a note that he brought them back to the collection in Freiburg, and in Rudolf Uhlbach's 1914 study on the hand and foot bones of Nama peoples, he notes that the anatomies studied are from six nearly complete skeletons that Fischer unearthed near Walvis Bay (Wittwer-Backofen et al. 2014).

For this collection's identification process, nineteen artifacts were believed to be of importance based on their believed origins in southern Africa: eight were specifically believed to be Ovaherero, five skulls were labeled "hottentot" and so are believed to be of Nama origin, and the others are of uncertain, but still regional, origin. Identification of skulls and when they entered into the collection were conducted by standard anthropological examinations like sex and age-at-death estimations. "Explicit assessment of pathology, trauma, and morphological anomalies that are macroscopically observable" were also added as identifying tests, as were morphometric analyses (e.g. three-dimensional analyses of skull shape and other craniometric measures). Lastly, mitochondrial DNA and stable isotope analysis (two kinds of invasive physical anthropological analysis that were not used by the Charité Collection) were performed in order "to determine biological ancestry and geographic provenance" (Wittwer-Backofen et al. 2014). Based on the analysis, fourteen of the nineteen preselected skulls are believed to be of either Ovaherero or Nama origin (though not fully corroborated by archival documentation) and they were recommended for restitution. The handover ceremony occurred in March 2014, during which time University of Freiburg rector, Dr. Hans-Jochen Schiewer stated: "The unlawful

acquisition of human remains is one of the dark chapters in the history of European science and also of our university" (University of Freiburg Public Relations 2014; Kößler 2018).

Table 1.2: These tables show the documentation of 19 skulls from German South West Africa within the collection and the relevant information—here, they document age, sex, believed ethnic ancestry, and suggestions for restitution based on the gathered evidence. Artifacts numbered 750, 751, 752, 753, and 754 all are notably marked as having potentially been acquired by Fischer himself and/or from the Swakopmund area; 754 and 755, as gifts from an unidentified medical officer Jacob, might have come from Swakopmund and Shark Island concentration camps respectively. Ultimately, 14 sets of remains have a high probability of being of Ovaherero and Nama origin, and per the chart, and were suggested for restitution

(from pp. 71-72 of Ursula Wittwer-Backofen, Mareen Kästner, Daniel Möller, Marina Vohberger, Sabine Lutz-Bonengel, and Dieter Speck's 2014 paper "Ambiguous provenance? Experience with provenance analysis of human remains from Namibia in the Alexander Ecker Collection")

Individual data of potential skulls from Namibia in the AEC.

Individual No. UAF (1985)	**744**	**745**	**746**	**747**	**748**	**749**	**750**	**751**	**752**
Ecker No.						V 107			
Fischer No.	391/392?	392	1736	1737	942	317	358	361	413
v. Max No.			327	328					
origin paper label	Neger	SW Africa	Ovaherero	Ovaherero A.J.c .III1737	Rehoboth Herero	Richmond	Swakopmund	Swakopmund	Swakopmund
origin skull label	nicht zu identifizieren	nicht zu identifizieren	A.J.c. III736	A.J.c. III1737			Swakopmund	ausgegr. Swakopmund	Swakopmund
acquired by add. information					Herero V135 or 435	Buschmann	E. Fischer ausgegr. in Swakopmund	E. Fischer Eigentum Fischer	E. Fischer?
Sex 1985 catalogue	male	male	male	male	male	male	male	female	female
Sex paper label	?	male	male	female?	male	?	?	?	female
Age 1985 catalogue	30–40	20–30	?		20–30	30–40	20–30	20–30	20–30
Age paper label	adult/mature	adult	adult		juvenile/adult	mature	mature/senile	adult/mature	adult/mature
This study									
Studied teeth (ICD code)	18, 27	16, 17	26, 27	47, 48	26, 27	–	–	16,17	16,17
Sex morphological	male	male	male	male	Male	male	female	female	Female
Sex FORDISC	male	female	female	female	Female	Female/ maleBM	female	Female/ maleBM	Female
Age morphological	30–60	15–20	30–50		20–30	40–60	40–70	20–30	20–40
Pathologies/trauma/ anomalies		foramen magnum protrusion	deformed	–	–	–	Alveoles absorbed	Depression right parietal	–
Ancestry FORDISC Post. Prob. (n var.)*****	African 0.384 (19)	inconclusive	inconclusive	inconclusive	African	Bushman 0.975 (17)	African 0.608 (18)	Bushmen 0.775 (20)	African
$^{87}Sr/^{86}SR$ Isotope	0.71700	0.70959	0.71152	0.71427	0.73037	–	–	0.71667	0.72330
Results	possible	doubtful	possible	possible	most likely			possible	most likely
Namibian Ancestry	possible	doubtful	possible	possible	most likely	possible	possible	possible	most likely
Suggestion for restitution	**no**	**no**	**yes**	**Yes**	**yes**	**no**	**yes**	**yes**	**yes**

. Continued.

Individual No. UAF (1985)	753	754	755	756	757	758	759	768	769	794
Ecker No.						V 107				
Fischer No.	448	366	398	E858	389	390	610	E960	1735	395
v. Max No.										
origin paper label	Damara		Herero	N.Kapland	Hottentotte			Sambesi		SW-Afrika
origin skull label			Herero	N.Kapland	Hottentotte	Hottentotte			A.J.c. 1735	
acquired by		Jacobs?	Eugen/ Jacobs							
add. information		Herero	Herero 398*		3895	3902**	Hottentotte3	Kaffer	***	Neger 395****
Sex 1985 catalogue	male	prob. female	prob. female	male	prob. female		?	prob. female	male	female
Sex paper label	Female/male	female	male	male	?		?	male	male	?
Age 1985 catalogue	20–30	20–30	20–30	20–30	16–20	3–7	3–7	20–30	30–40	40–50
Age paper label	adult	around 20	adult	adult	juvenile		juvenile	adult	mature	mature
This study										
Studied teeth(ICD code)	16, 17	16, 17	27, 28	16, 48	16, 17	16, 26	16, 17	16, 28	16, 17	(26)
Sex morphological	male	female	male	male	female	undet.	female	male	male	female
Sex FORDISC	male	female	male	male	–	undet.	female	male	male	female
Age morphological	20–40	20–40	20–40	20–50	16–20	2–3	15–20	30–50	30–40	35–60
Pathologies/trauma/ anomalies	–	Frontal de-pression		Cribra cranii and multiple foramina	caries	–	Sut. Sagitt. Almost closed	Huge for. Par., wormi-an bones	Blunt force trauma	deformed
Ancestry FORDISC	African	African	African	African?	African	African	African	African	African	African
Post. Prob.*****							0.941 (17)		0.418 (18)	0.975 (20)
$^{87}Sr/^{86}SR$Isotope	0.72362	0.74105	–	–	0.72515	0.71814	0.71299	0.77100	0.71178	–
Results	most likely	most likely			most likely	possible	possible	most likely	possible	
Namibian Ancestry	most likely	most likely	possible	possible	most likely	possible	possible	most likely	possible	possible
Suggestion for restitution	yes	yes	yes	no	yes	yes	yes	yes	no	no

*Gesch. Stabsarzt Jacobs(?) Concentrat.-Lager bei Lüderitzbucht; ** Kind von Nr. 1; *** A Caffre chief killed 2 June 1846. Had 4 musket balls in his body and was finished by a blow on the head with a musket. Schill, D. (1889); **** nicht zu identif..; O Nr?; Sammlung wegen Gaumen, ***** for additional statistical data please contact first author

The third case, the Von Luschan Collection held at the American Museum of Natural History (AMNH) in New York City is most relevant to restitution claims made by the Ovaherero and Nama communities. Following the death of Austrian anthropologist (and co-founder of the Berlin Society for Anthropology, Ethnology and Prehistory), Felix von Luschan in 1924, his widow sold his *Lehrmittelsammlung* (teaching collection) of over 5,000 pieces of remains from around the world to the AMNH (American Museum of Natural History New York, Anthropological Department, Archives). Curated and compiled the 1870s to 1923, it was one of Berlin's largest physical anthropological collections containing over 5,000 skull remains and over 200 complete skeletons from around the world including the remains of eight people from

German South West Africa whose ethnicities (Damara, Ovatjimbo/Ovaherero, “Hottentot”) and sites of origins are noted by von Luschan (Stoecker and Winkelmann 2018). The discovery of these skulls was made in the summer of 2017, and they both became a part of the Ovaherero and Nama communities’ lawsuit for reparations and restitution (Gross 2018). The American Alien Tort Claims Act permits foreign nationals to file lawsuits concerning human rights violations that occurred outside of the United States, and this was the basis for class action lawsuits filed in 2001 and then again in 2017 (the case is still ongoing). While the German state is claiming sovereign immunity from American jurisdiction, proof of unlawful commercial activity related to the sale of the remains could lead to the confiscation of archival materials (Pape 2018). The legal argument made by the Ovaherero and Nama is that the sale of human remains constituted commercial rather than sovereign activity as “Germany *packaged, shipped, traded, and trafficked* its genocide victims to New York in 1924, within a ‘[p]urchase’” and that the “the skulls were '[r]eceived [f]rom': the ‘Museum für Völkerkunde, Berlin, Germany,’ the Museum of Ethnology, a German agency and instrumentality” (Vekuii Rukoro et al. v. Federal Republic of Germany 2019). The international nature of the acquisition, transfer, and sale of the remains underscores the internationalism of racial geographies and geographies of domination, which is “conceptually and materially bound up with racial…displacement and the knowledge-power of a unitary vantage point — von Luschann’s teaching collection also included “African-American, Mohawk, Paiute, Sioux, Inuit, and other American body parts” (McKittrick 2006; Vekuii Rukoro et al. v. Federal Republic of Germany 2019). The brief goes on to state:

> “Germany’s logic was that, as the Ovaherero and Nama faced extinction by genocide, samples of these two peoples must be preserved for science and posterity. These takings were thus the souveniring of genocide and so a

> continuation of the same, which makes the AMNH as much a locus of Germany's crime as Shark Island itself. A taking's character is also reflected by its methods; here, for example, forcing women prisoners to remove the flesh from boiled heads of their own kin…Germany sought to cause maximal loss, extract all profit from its slaves (down to their skulls), and reinforce white supremacy through dehumanization. By taking these skulls, Germany's message was not only that Herero and Nama lives did not matter, but that **they were not really human lives at all**" (bolding mine) (Vekuii Rukoro et al. v. Federal Republic of Germany 2019).

The 1990 passage of the Native American Graves Protection and Repatriation Act (NAGPRA) led to the repatriation of multiple sets of human remains from the AMNH to their respective indigenous communities, and notably changed the ways that museums and other scientific-educational institutions engage indigenous remains within their collections. The legislation created "regulations develop a systematic process for determining the rights of lineal descendants and Indian tribes and Native Hawaiian organizations to certain Native American human remains, funerary objects, sacred objects, or objects of cultural patrimony" to which domestic museums are bound (NAGPRA 1990). But because there is not a formalized analogous protocol in international law, non-American indigenous communities are forced to appeal for restitution through other avenues (Pape 2018). While the German government has previously acknowledged the genocide via the Minister of Development Heidemarie Wieczorek-Zeul's public apology on the 100th anniversary of the Battle of Waterberg (which was dismissed by the German government as a personal statement not indicative of any changes in government policy) but it has ruled out formal compensation and financial reparation for Ovaherero and Nama communities, instead preferring to engage its culpability for genocide through bilateral relations with the Namibian nation-state in exclusion of survivor groups (the Namibian state, in turn, fears Ovaherero and Nama demands will undermine the relationship) and whose participation in

handover ceremonies has been multiply insulting to Ovaherero and Nama delegations (Wittwer-Backofen et al. 2014; Shigwedha 2016; Garsha 2019). The German government has been clear that the repatriation of skulls should not be used as a part of a larger effort to engage imperial atrocities committed against Namibian peoples. If the skulls were used as a driver for comprehensive genocide reparations, it could compromise the good standing Namibia has enjoyed as a recipient of German aid and financial support. This is a sentiment that has been evoked both by German and Namibian politicians alike: that the return of these remains ought to represent a reconciliation between the two countries and "closure" to the atrocities of colonial Germany, never mind that such declarations from both parties do not reflect the entirety of the multiplicity of ideas and feelings held by leadership and members of Ovaherero and Nama communities. Both through the non-apology of the German state and the continued incarceration of Ovaherero and Nama remains in American museum archives, we can come to understand human remains as technologies upon which not only the names of eugenicists, but global political agendas are inscribed. Post-independence politics do not simply give meaning to these skeletal remains, but rather "it is the bones that animate social and political processes" like mourning, celebration, and demands for restitution — "the materiality of human remains deserves analysis as a phenomenon in itself," especially as they have become a material symbol of German dispossession and the racial structures of property and ownership "that have retained their disciplinary power in organizing territory and producing racial subjects through a hierarchy of value" (Stepputat 2014; Bhandar 2018).

Pro and contra the episteme

The opposing arguments made by the Ovaherero and Nama communities on one hand and the German and Namibian nation-states on the other illustrate not only contesting political positions, but phenomenological ones. It is the battle between the Westphalian nation-state and the indigenous peoples precluded from agency and futurity by the dichotomizing arrangement of coloniality that flattens ideas, practices, and ideologies into oppositional binarist paradigms (Mudimbe 1988). This binary is illustrated, for example, by the competing timescales: the imperial (or simply Westphalian) belief in forward moving temporal progress-linearity that the genocide has long ended and reconciliation is imminent, and the demands made by indigenous communities that reflect an idea of present materialities as a continuation of genocidal dispossession. Imperial historiography vis-à-vis time is also picnoleptic where historical omissions become exculpatory: "nothing has really happened, the missing time has never existed," which is to say events, genocidal processes, and communities are disappeared from both materiality and epistemic record (Virilio 2009). Nick Estes (2019) writes that "indigenous resistance draws from a long history, projecting itself backward and forward in time" — Ovaherero and Nama chronologies and historiographies then necessarily describe an ongoingness of genocide because the skulls of the dead are still incarcerated in imperial [museum] facilities. Western refusals to repatriate remains reflect a notion of imperial time as a stabilizer of colonial humanity [overrepresented] as Man, a category from which the Ovaherero and Nama peoples are clearly precluded.

In the clashing of these epistemes, indigenous communities attempt to express the inexpressible: the sheer magnitude of genocidal loss and the responsibilities that survivor

communities have in attempting to repair historical devastation however they can. The doubt and denial of testimony only amplifies the suffering of communities already in pain, both the physical pain of genocidal violence and the ontological wounding carried by the descendants (Scarry 1985). One of the greatest difficulties of genocide is the attempt by indigenous communities to make legible the "cognitive and emotional" incommensurability of communal loss and mass violence, and the varying relations to the crimes of genocide and its legacies (Robben 2009). For example, the Deutscher Museumbund (German Museums Association) (2013) states that while people in charge of physical anthropological collections should be mindful of genealogical connections between remains and living community members, "from an ethnological perspective, memories of a deceased person fade after approximately four to five generations" or approximately 125 years. While the organization states that this should only be a guideline in individual cases and dialogue should be sought in repatriation cases outside of this, these deadlines represent a scientistic political imposition because of how western mathematics in cases of genocide order non-western cultures on an "ontological level," from the expressions of death tolls[24] to financial compensation to a kind of statute of limitations on restitution claims and the quantification of presumed familial memory (Urton 1997; Nelson 2015). This scientistic imposition is a positivist epistemicidal framework within which all other modes of understanding are subsumed and subjugated (either altogether erased or still subordinated as "alternative

[24] There is a qualitative and affective difference in expressing death tolls by proportion of a population as opposed to raw numbers. Stating that between 24,000 and 100,000 Ovaherero people and 10,000 Nama were killed is tragic, *of course*, but it does little to most fully express the catastrophe of the genocidal campaign because most people have no idea what the indigenous Ovaherero and Nama populations were prior to 1904. But stating that, as reported by the 1985 Revised and Updated Report on the Question of the Prevention and Punishment of the Crime of Genocide (otherwise known as the Whitaker Report), *80%* of the total Ovaherero population and *50%* of the Nama were killed during the genocidal war, there is a very different articulation of the severity of the violence (i.e. the explicitly articulated intent to destroy) and the nature of German political cruelty.

knowledges").While scientific methods attempt to identify and individuate remains, the Nama Traditional Leaders Association (NTLA) have instead emphasized a sense of collectivized community impact and articulated on the "moral, social, and spiritual" responsibility "to ensure the burial of the remains of our families." About those responsibilities and obligations, NTLA leadership also notes:

> "Skulls and human remains of Nama origin must be buried in Great Namaqualand in accordance with centuries old Nama religious customs. Even before Christianity, the Nama believed in the Supreme Being known by the name Tsui//goab. In Nama religion, He is the Creator of the entire universe and Giver of life to all creatures through His powerful Spirit. He has the power over rain, wind and all life forces. The Nama believed the human soul returns to its Master, the Creator Tsui//goab, upon a person's death. Equally the human body is created from soil of earth and thus must be returned to the soil. The graves in which the remains will be buried are marked extra ordinary into monuments as per Nama custom. In the Nama religion, the Messenger of Goodwill of Tsui//goab was named Haitsi Aibeb. He died under extraordinary circumstances and rose from death many times according to Nama folklore. His graves were turned into monuments made of rocks, as people who passed by each grave said praises to Him and added another rock. Many of the graves are still found in Great Namaqualand. According to Nama culture, the spirit of the deceased remains restless until it is returned to the soil from which it is made by the Creator" (Samudzi 2020).

What are the implications of housing/hoarding and displaying people's bones either as some anthropological evidence or as unverbalized victor's spoils? Beyond the clear ethical and political questions of whether or not remains should be returned to the peoples to whom they belong, there are some less material but no less meaningful consequences. Cultures that have beliefs about (and venerate) ancestors and understand life cycles beyond western/Christian linearities that hold life and death as discrete hold funerary traditions as particularly important rites of passage. The ability for a dead relative to successfully transition into ancestordom bears implications for not only their post-corporal/posthumous state of existence, but also for their

lineage and all of their descendants. A body that cannot be buried—a body that, say, has been incinerated after a gas chamber execution, the skull of someone who perished in a concentration camp and whose remains were kept for anthropological study, body whose remains have been preserved and are displayed in a museum—is an individual who may be suspended in some liminal existence. But within our realm of understanding, the prevention of the performance of proper funerary rites within these instances of colonial violence is a manifestation of the natal alienation central to racial capitalist processes of social death, of maintaining the relationship of a socially dead individual or community purely through those who have subjugated them. The taking of body parts, whether as a sadistic trophy or for societal edification in museums and academic institutions (or an interaction of the two), is a both a colonial delegitimization of these rites of passage and an act of familial disruption. While physical anthropological collections are typically regarded as containing objects so long as they are not individually requested and/or identified, members of affected communities tend to understand them as, if not individuals, but as their ancestors (Pape 2018). This natal alienation is bi-directional. On one hand, this action denies the prematurely dead[25] an opportunity for proper passage; on the other, it denies living relatives the opportunity for some semblance of closure and reconciliation (at least in the aftermath of individual or collectivizes trauma) through some religiously/culturally/socially sanctioned treatment of the dead. The keeping of remains is representative of both a dislocation of the dead from their lineage and an extraction of the person from their culture, a particularly pernicious act in the case of peoples who've experienced cultural genocide (in the case of Native

[25] Ruth Wilson Gilmore (2007) defines/describes racism as "the state-sanctioned or extralegal production and exploitation of group-differentiated vulnerability to premature death."

Americans forced into assimilation/re-education camps) and whose cultures are otherwise subjugated.

Eunsong Kim (2020) describes how museum spaces, particularly archival storage facilities, are cold and alienating by design: because the objects held hostage therein are fixed into “the condition of object immortalization.” She describes the museum as a kind of mausoleum that trap kept objects permanently in time, an especially notable indoor iteration of the colonial production of racialized space considering the co-evolution of the museum and the penitentiary (Bennett 1995; Fleetwood 2020). The objects are preserved in carefully climate controlled conditions which ensure "protection against touch, exemption from humidity, from environment, from too much heat or too little, from the notion of unruly temperatures.” And it is this fastidious conservation efforts, ironically, that excises and preclude the objects from the “possibility of context and history” beyond that which is afforded by the institution (Kim 2020). She finds a natural complement in Christina Sharpe’s conceptualization of anti-black weather. Hers is an analogy between the chilled artificial ecology of the museum archive and how "the weather necessitates changeability and improvisation; it is the atmospheric condition of time and place” and “trans*forms Black being" (Sharpe 2016).

Part of the impetus for the keeping human remains and other indigenous/non-white/non-western artifacts in colonial archives is an attempt to mediate civilizational collapse. Terror management theory (TMT) describes not only the anxiety produced by the inevitability of one’s own death individually, but the shared cultural worldviews deployed in order to offer a sense of death-transcendence or immortality — a durable identity. This can be literal as with the creation of cultural or religious afterlives, or it might be symbolic which describes both material and

symbolic extension of the immortalized self (e.g. the family, artistic works, etc.) (Schimel, Hayes, and Sharp 2019). TMT can also offer an explanation for the cultural worldviews that produce historiographies and epistemes that naturalize both racial-civilizational domination and subjugation: the structuring and stabilization of time manage the existential anxieties presented by movements and discourses in favor of decolonization (Abeyta, Nelson, and Rutledge 2019). Azoulay describes how contemporary usages of the word “art" emerged in the 18th century and was linked to an imperial conception and desired mastery of time: “art” exists as a part of an imperial dislocation that forces indigenous communities into a forward-moving linear ordering. The accumulation of art and artifacts for/within museum displays and archives, which is a part of the same process of imperial plunder and dispossession[26] (the collection, sale, and circulation of indigenous remains within natural history archives seems like a clear collapsing of these discrete categories), is “a way to avoid engaging with the world shared with others.” The museum space is an epistemicidal curation of European relationality to and historicization of materiality, a historical strategy of collection that offers a fragmented and incomplete description and definition of a given object and so subordinates and disappears indigenous knowledges in the process (Marontate 2005). Epistemicide is/was “one of the conditions of genocide”: the twinned actions of attempting to annihilate a people and recontextualizing them in the historical canon (de Sousa Santos 2014). Here it describes the maintenance of the the literal remains taken in order to test eugenicist hypotheses about biologized racial difference This Eurocentric world-

[26] From the 1870s, the Royal Museum of Ethnology (where von Luschan began working in 1886, became director of the Africa and Oceania holdings in 1904, and rose to the position of Director of Anthropology in 1909 and was the sole administrator the collection) began publishing guides for remains collection; von Luschan himself supplemented those guides with his own instructions for collection in Africa in 1896. See: Kristin Weber’s 2013 thesis: “Objekte als Spiegel kolonialer Beziehungen: Das Sammeln von Ethnographica zur Zeit der deutschen kolonialen Expansion in Ostafrika [Objects as the Mirror of Colonial Relations: The Collecting of Ethnographica at the Time of German Colonial Expansion in East Africa]" (1884–1914).

making, however, is destabilized by subaltern state and non-state actors, social movements, and articulated political demands (i.e. inquiries into and demands for the repatriation of remains) that attempt to destabilize a concentration of political and epistemic power power within western states and institutions. This TMT-inflected investment in maintaining the project of *colonial scientia* in its spatial, chronological, and subjective aspects motivates institutional inertia and refusals in returning and repatriation indigenous art, artifacts, and human remains (Mignolo 2015). The relationship between anxious and dutiful civilizational maintenance and these refusals is birthed from western obsessions with object permanence (to link the psychological to the ontological) that might clash with other cultural understandings that certain objects or human biomatter are not meant to exist forever. The refusal to repatriate human remains — particularly ones that have been used as a part of the eugenicist scientific apparatus that structures and animates western modernity — is a result of a colonial teleology, which renders *objects* as necessary and functional regardless of how they came into possession and use.

The restitution process that has occurred facilitates the stabilization and reinscription of the nation-state system by both the bilateral diplomacy and the scientific methods used to establish provenance. Provenance research is actually unable to establish the identities of the deceased beyond broad ascription into ethnic clusters like Nama and Ovaherero, as well as Damara, San, and Ndonga (Ovambo) peoples—it certainly cannot make a claim about origins within and from a nation-state, especially when that individual's death precedes the origin of the present nation-state in question. Thus, there has been a marked effort to position genocide memory into the post-independence Namibian national project: that engaging with this history of atrocity is a part of broader efforts at anti-colonial resistance, never mind that this discursive

project has been driven by the governing South West Africa People's Organization (SWAPO), which is numerically dominated by the Ovambo ethnic group which also comprises over half of Namibia itself. Despite political attempts to describe the genocide as a a part of the national history project, the genocidal war and German settlement "affected only central and southern Namibia" while the northern regions experienced other types of colonial domination (Kößler 2018). Because of their specific and explicit targeting for extermination by Germany, Bethuel Katjimune, speaking on behalf of the Ovaherero Traditional Authority (OTA) has claimed that "government-to-government negotiations had turned the genocide reparations into a public fund to benefit any ordinary Namibian who may need help," which necessary fails to account for the uniqueness of Ovaherero and Nama suffering (Shigwedha 2016). In connecting Lebensraum and the eugenic science-driven racial geographies to ongoing dispossession, the NTLA described the centrality of land as a part of a domestic politic of genocide reparation and national conciliation:

> "For the Nama leaders, landlessness and political/economic/social marginalization is directly linked to genocide. Calls for the return of ancestral land and initial response of [the 2016] Namibian government amounted to trashing such calls, with utterances such as 'You don't eat land!' 'What ancestral land are you talking about?' and 'How do you want to hold present generations accountable for something they did not do?' These are sentiments of the same regime claiming to negotiate in interest of victim[ized] communities. There is deliberate refusal on the part of both governments to admit that landlessness of the Nama people is a structural issue never addressed by any regime. We shall remain resolute to regain our ancestral land, notwithstanding state tricks to render our people perpetually landless and poverty stricken for good. German genocide facilitated the structural loss of ancestral land, and therefore the two issues will not be separated" (Samudzi 2020).

It is impossible to ignore the relationship between the racialist imperial German project, the uses of scientific tests to make claims about ethnic (and so, necessarily, national) identity, and the

ethnic lines being further reinscribed both by the attempts to assimilate the genocide into national memory and by groups resisting that assimilation. Because "indigenous" represents a group's subjugation in relation to a nation-state, politics of continental indigeneity require an understanding of pre- and post-colonial relations. While all of the different groups within a land mass forcibly enclosed by imperial/Westphalian borders may have been subjugated as "native" by colonial powers, the post-independence designation demands an accounting for the dynamics of ethnopower/ethno-hegemony and the social-political domination imposed by empowered and numerical majoritarian groups. In reflection of the ongoing "commercial exploitation of biological and genetic resources and related traditional knowledges without fail compensation to rural communities," the Namibian Parliament passed the Access to Biological and Genetic Resources and Associated Traditional Knowledge Act 2 of 2017, otherwise known as the ABS Act (Shigwedha 2018). It is a piece of legislation that superficially appears to be attending to scientific exploitations of indigenous communities, but in reality, it is a reflection of those communities' assimilability into a national structure of marketable knowledge. It does not read as an historical correction: a desire to strengthen local communities[27] against harmful extractive practices that undermine centuries of "associated traditional knowledge,"[28] but rather a framework mediated by the Ministry of Environment and Tourism (i.e. the Namibian state) to

[27] Per the legislation, "local communities" describes a group 1) "living or having rights or interests in a distinct geographical area within Namibia with a leadership structure and it may include natural resource management organizations such as conservancies and community forest committees" and 2) with rights in relation to or stewardship over its natural resources, genetic resources and associated traditional knowledge and technologies, governed partially or completely by its own customs, traditions or laws.

[28] "Associated traditional knowledge" describes "the accumulated individual or collective knowledge, practices, innovations or technologies associated with biological and genetic resources which is created or developed over generations by local communities, vital for conservation, sustainable utilization of biological and genetic resources and of socioeconomic value."

regulate the "commercialization of biological and genetic resources[29] [which] involves a diverse range of stakeholders from local communities and regulatory authorities to academic institutions and often transnational businesses and investors" (Shigwedha 2018). The legislation gestures towards the rights of local/indigenous communities over relevant biological and genetic resources, even supporting "the creation of rules, procedures and guidance in obtaining prior informed consent of and establishing mutually agreed terms with the local communities." But ultimately, whatever sovereignty or rights are offered to those communities is superseded by the state, because the state bears the ultimately discretion in "ensuring fair and equitable sharing of benefits arising from the utilization of genetic resources,"[30] which must be executed in accordance with the Act as well as the national constitution and international law (namely, the 2010 Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization to the Convention on Biological Diversity) (Republic of Namibia 2017). It is unclear, also, whether this act affirms the genetic sovereignty of indigenous people whose own biological information is of interest to scientific research and collection.

[29] "Biological resources" refers to "organisms or parts thereof, populations, or any other biotic component of ecosystems with actual or potential use or value for humanity"; and "genetic resources" refers to "any material of plant, animal, microbial or other origin containing or derived from functional units of heredity and which has actual or potential value which may be found in *in situ* or *ex situ* conditions under the control of the State."

[30] "Utilization of biological and genetic resources" means "to conduct research and development on the biological, genetic or biochemical composition of biological and genetic resources, including through the application of biotechnology to such biological and genetic resources or their derivatives."

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> "If there is the probability or even the mere possibility that bastard blood damages our race without the realistic chance that it will improve us, any absorption must be prevented. I take this to be so absolutely obvious, that I can consider any other point of view only as that of complete biological ignorance…This is about the survival — I choose my words consciously — of our race, this has to be the main criterion, ethical and legal norms just have to be secondary to that."
> From Dr. Eugen Fischer's *Die Rehobother Bastards und das Bastardisierungsproblem beim Menschen* (1913)

Chapter 2 — The Black[ened] Bastard

The spectacle of *Die schwarze Schmach* ("the Black disgrace") intensified nationalist notions of a biologized German citizenship in response not only to these Black African soldiers, but also and especially to their mixed-raced offspring — so named the Rhineland Bastards — who were born to white German mothers and so would be able to make the kind of social and political claims afforded to German citizens. Prior to the Allied occupation and the anti-Black reactionaryism that was soon to follow, a previous moral-scientific panic was incited about the Rehoboth Basters, a mixed-race community in the German colony of South West Africa. Uniting the political responses to these geographically separated Black/blackening peoples is the work of Dr. Eugen Fischer, the German anthropologist who first studied mixed-race Africans, and whose resultant conclusions were applied in response to the mixed-race Germans. Through a transnational analysis of these eugenic "Bastard studies," we can understand how anti-blackness became critical in the further political and scientific claims of a German state defined by a biological *Germanness* contra to the Black/African social and genetic pollutant. It is a material modeling of the continuity thesis: that imperial German anti-blackness and genocide were not a "rehearsal" for a cast-as-inevitable German genocide of Jews and others, but rather structured a biologization of Germanness (and Europeanness) in a way that resulted in the co-constituted genocidal racialization of German (and European) Jews. "Bastard studies," thus, allows crucial

insights into the relationship between imperial racial anthropology on the continent and racial ordering in Germany.

Miscegenation and the continuity thesis

With the interactions between German men and indigenous African women initiated by colonial contact, the main political concerns became about the maintenance of sexuality moralities as well as the kinds of rights that the offspring could ostensibly claim through their German parentage. The word "bastard," with all of its connotations, was used to describe the offspring of interracial relationships (as well as the word *"mischling,"* meaning "mixed"); "Bastard studies," then, is the German formulation for this eugenic study of mixedness (as "bastard" was often used in the place of "miscegenation"). While broadly frowned upon, racial intermixing in the colony came under fire because of moves by the colonial administration to refuse to acknowledge interracial marriages as legitimate. In 1905, Governor von Lindequist issued a decree banning these unions in German South West Africa citing the perceived negative "effect of racial mixture on the purity of the white race," where discourses of the time understood blood as containing and dictating one's racial nature (Campt 2003; El-Tayeb 2005). In 1907, the colonial administration passed a subsequent law to annul existing mixed race unions, and then in 1908, the Colonial Home Rule Act was passed to censure white German men for their transgressive cross-color line marriages by retrenching their civil rights (Lusane 2003).

Bastard studies forms an epistemological position revolving around the socio-scientific (i.e. eugenic) intentions of preserving whiteness and purity within a population rather than a dynamic phenomenological understanding of mixedness á la the multidisciplinary approach

taken to the contemporary field of Critical Mixed Race Studies. Because it existed[31] in the negative (i.e. because it affirms a Social Darwinist position that racial mixture leads to the degeneration, or "pauperization," of the superior race as well as the production of a new one), Bastard studies can also be understood contra to Gilberto Freyre's *Lusotropicalismo*, a harmonious opposition to American segregation, which held that miscegenation ultimately produces a superior population and animated the mythos of Brazil as a kind of utopic multiracial democracy (Anderson, Roque, and Ventura Santos 2019). Anti-miscegenation as a part of the scientific discourse spoke as much to perceived and "empirical" understandings of perceived ideas of genetics (which attempted to cohere observable and hierarchized phenotypes with ideas about heritability and eugenic population management) research as well as social regulations placed on bourgeois German sexuality, which was a "recuperation of a protracted discourse on race" in its positioning of a white middle class sexuality against some tainting threat/racial Other. It contained the very same moralizing motifs of defense against contamination and a defense and betterment of the self (where the self is also necessarily constitutive/an extension of the state) in need of constant purification (Stoler 1995). As a scientific investigation into the social problem and biological consequences of racial mixing, bastard studies sought to clarify the question of genetics and heredity in terms of the traits that were passed down for each differentially racialized parent. The fundamental premise of this work and these studies was that "racial intermixture had not only *physical* effects but more important[ly], had an impact on both the

[31] Using "exist" in the past tense is not to imply that eugenic work that falls under the banner of bastard studies does not exist in the present. Rather, I'm simply limiting discussion to the scientific genealogy of Eugen Fischer: the ideas that preceded and inspired his, but mostly the trajectory work conducted by him and/or within his lifetime.

intellectual capacity and *psychological constitution* of racial groups" (El-Tayeb 1999; Campt 2003).

The novelty and significance of analyzing Bastard studies as a specific sub-field of eugenics research is that the field's genealogy can be traced beyond the Nazis' fixation on racial purity as an anomaly and a divergence from relatively "normal" practical conventions, ideas, and ideologies in science. Rather, Bastard studies is (within the German context) a simultaneously transnational and national project[32] and population study whose rigor set it apart from the kind of social anthropology and racial hygiene seen by some as being methodologically weak and biased in its attempt to simply justify racialism (despite the more respectable science also ultimately reinforcing racial hierarchies). Despite heredity having been observed for centuries, its most significant institutionalization in the German context was in the study of racial hygiene science, an approach to the study of eugenics popularized at the beginning of the 20th century: it was introduced by eugenicist Alfred Ploetz in his 1895 text *Grundlinien einer Rassenhygiene* ("The Basics of Racial Hygiene"), and its initial primary concerns were with falling birthrates of "healthy" people and the increased number of mentally and physically disabled people in state institutions. The offered conclusions of racial hygienists like Ploetz included sterilization, a public health intervention that would prevent those with hereditary illnesses from reproducing and thus decrease the number of people in state institutions and associated costs to the state.

A transnational trajectory of bastard studies permits a careful analysis of the place and time specifics of respective racial management logics and the political objectives of the respective colonizing entities (e.g. differential objectives of Germany in South West Africa as

[32] The idea of a "transnational national project" is an attempt to describe a science that conceptualizes Germanness beyond its European borders and into the colonies: a[n imperial] nation that exists internationally.

opposed to continental Europe). It can act as useful interventions in debated German historiographies and the tensions between the theses of genocide continuity (i.e. the Nazi genocide exists in a historical trajectory of violence beginning in Germany's African colonies) and a genocide exceptionalism that emphasizes the uniqueness of both Nazi violence and Germany's historical development (also known as *Sonderweg* theory, or the "special path"). One of the best examples of this continuity is in the illustration of the maintained scientific logics of German eugenics beginning in the discourses and practices that occurred during and that justified the Ovaherero and Nama genocide: in the transnational work of, specifically, Eugen Fischer. His presence and meaningful influence in imperial (1884-1919), Weimar (1918-1933), and Nazi Germany (1933-1945) illustrate the enduring influence and evolution of eugenic anti-blackness on German state-making rather than historicizing the genocide in Namibia as a "practice run" for Nazism. Continuity vis-à-vis bastard studies demonstrates a trajectory via scientific materiality in addition/as opposed to simply racist ideologies; it offers multiple examples affirming Césaire's (1955) claim that before Europe was the victim of Nazism, "they were its accomplices; that they tolerated that Nazism before it was inflicted on them, that they absolved it, shut their eyes to it, legitimized it" (36). Germany articulates a kind of political sovereignty imagined by and materialized through science because of the irrefutability of scientific empirics on one hand, and because scientific laws do not need to be legitimized by the populations over whom they attempt to make governing claims (Zimmerman 2014).

As with Germany's colony in German South West Africa, eastern Europe is also conceptualized as a frontier space for an expanding Germany: colonialist desires to regain African territories shared a complementary frame with internal colonization in the east, as

conquerable space played a central role in the formation of German national identity (Sandler 2012). Conflict is perceived heavily through the frame of a "culture war" (*Kulturkampf*) as opposed to more heavily racialized colonial frames of German/white and African/Black. Even as eastward expansion was broadly conceived of as colonial expansion, some Nazi administrators became resistant to "the direct discursive application of overseas colonial concepts onto the East," with the Reich Minister of the Occupied Eastern territories worrying in 1941 "that the Ukrainian is to be treated like a Negro, and that the territory shall be exploited like a colony" (Sandler 2012). The concept of the "culture war" was coined by anthropologist and founder of the Berlin Society for Anthropology, Ethnology and Prehistory Rudolf Virchow in support of Otto van Bismarck's political campaigns against Catholicism (Poland is overwhelmingly Catholic, and Germany, Lutheran). "Culture," along with "civilization," carries an anthropological connotation and allusion to a "dichotomy of *Kulturevölker* (civilized peoples) and *Naturevölker* (primitive peoples) wherein only the former were capable of progress and development, while the latter appeared as true 'peoples without history'" (Conrad 2014). The "Germanification of the soil," i.e. the internal colonization of Polish-speaking eastern Prussia, were similarly settled as a part of an "escalation of a politics of homogenization" and an attempted assimilation existent within a *Lebensraum* practiced on the European continent. And in this articulation of a "struggle for existence" between Germans and ethnic Poles, there was increasingly a "fundamental transformation of the logic of intervention…from culture to demography and biopolitics" (Conrad 2014). This involved a greater turn towards a project of race-making collapsing Polish cultural difference and inferiority into a nationalist mission of nation-building, with the "escalation of a politics of homogenization" and methods of population

management that mirrored policy in German South West Africa (e.g. suggestions of forced movement and deportation that recalled Governor Friedrich von Lindequist's proposal to deport all Witbooi Nama to German colony's in Samoa in order to better secure Nama land for colonial rule) (Conrad 2014). The structure and logics of racialization on the European continent differed from African colonies, of course: there was, for example, no formal ban against miscegenation between Germans and Poles (as there was in German colonies in Africa and Samoa) until Nazi rule. Racialized classifications and meaning-making, however, can be affixed to essential notions of culture where "culture can also function like nature" and lock populations into a sociocultural and political "determination that is immutable and intangible in origin" (Balibar 1991; Conrad 2014). Linking the colonial project of race-making to Virchow's anthropology-inflected invocation of culture is an appropriation of Lamarckian inheritance[33], a kind of eugenicist thinking that extends biological notions of trait heritability into the social world and "link[s] racial degeneracy to the sexual transmission of cultural contagions,"which in turn drives ideas of a population as a pollutant and/or threat to the purity and integrity of another (Stoler 2002). Despite the uniqueness of locations and populations, the treatment and address of othered communities — whether the Ovaherero and Nama in German South West Africa or ethnic Poles in eastern Prussia — were foundationalized by "imperial formations" notions and attempts to address/mediate difference (Stoler and MacGranahan 2007; Stoler, MacGranahan, and Perdue 2007; Kundrus 2014).

[33] Lamarckism (Lamarckian inheritance) is the idea that a parent organism can pass down physical/ phenotypical characteristics acquired during its lifetime.

The Rehoboth Basters

The Basters of Namibia are a population of Afrikaans-speaking mixed race (or coloured[34]) people that are mainly the result of intermixing between Cape Dutch settlers and their Nama servants. They have inhabited the town of Rehoboth (a town in central Namibia just south of the capital) since 1870, arriving from the Cape in search of new land and grazing territory. They were described as ranging in phenotype from fair-skinned and almost resembling Europeans (a small fraction appearing "practically white," a compliment per the colonial sensibility) to much darker and more akin to their Nama and Khoi ancestry (Gewald and Silvester 2003). The Basters were thought to be imbued with the genetics and blood, and so also social characteristics and dispositions of both sets of parentage: depending on the eugenic perspective, their European blood was seen to "temper" the negative outcomes of their native African genes and their African blood introduced the worst of blackening traits into European genetics. The unfixed intermediary position they inhabited destabilized the colonial racial taxonomy constructed around the clear and rigid binary of the white/Black color line (Sexton 2008). Unlike the Germans or even indigenous African groups, the Basters were not a discrete, single, or clearly culturally organized people unto themselves. Rather, they were merely an amalgam of families represented and governed by a chief—they have no centralized nation-like/nationalist sentiment, they were a people with "no home, no fatherland" whose "semicivilization" would make them difficult to govern and assimilate as German subjects (Steinmetz 2007).

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[34] Broadly, "colored" is used to describe an African-descended person, especially of a particular complexion. But in the Southern African context, "coloured" also denotes a ethno-racial designation for a multi-ethnic/ racial group native to the region and primarily descended from Khoisan and Nama women, but also includes Bantu groups, Europeans, East or South Asian, and Austronesian peoples (brought to the Cape Colony as slaves during the period of Dutch colonization in the Indonesian archipelago and settlement in southern Africa).

The enforcement of colonial racial designations into its African colonies thus drove the reproduction of legally enforced notions of racial purity, like the colonial legislation that mirrored *partus sequitur ventrem*[35], the English colonial doctrine that regulated the free or enslaved status of children born in British colonies. In opposition to June 1870's Law Concerning the Acquisition and Loss of Citizenship of Confederation or State, which stated that children born within wedlock acquire their father's citizenship, Governor Hans Tecklenburg issued a January 1903 ordinance "establishing that the offspring of mixed marriages or those born out of wedlock should have the same legal standing as 'natives'" (Zimmerer 2003[a]). This was his objection to the miscegenation that occurred where, in the absence of white women, single German men had relations with indigenous African women. His response similarly initiated a materiality of race as something inherited through birth. A subjugated "native" African identity, as in other places, became central to the "codification of rights and freedoms for those legally constituted as white" where "freedoms for those people constituted as white were… produced through an other's body legally and otherwise being made to wear unfreedom and to serve as a placeholder for access to the freedoms that are denied to the black subject" (Sharpe 2010). It is the white subjectivity on both sociocultural and biological fronts that is poisoned through prolonged contact with the native, and Tecklenburg described that these mixed-race "half-castes" would be "as a rule, physically and morally weak, [and would] unite in themselves the worst features of both parents and are *led by nature* to follow their native mother in language and culture rather than their white father" (Zimmerer 2003[a]) (italics mine). Anti-miscegenation

[35] *Partus sequitur ventrum* is derived from Roman civil law, and it fully translates to "that which is brought forth follows the womb" in Latin. Within British colonies, it dictated that the condition of the offspring would follow that of their mother, i.e. if the mother was enslaved, the child would be, too.

would then constitute "a vital component of the creation of race *ex nihilo*, a social contraction articulated as the form of white identity" (Sexton 2008). A 1907 Windhoek district court ruling that invalidated interracial civil marriages stated that the word "native"

> "refers to those persons who have a *blood relationship* with aboriginal and semi-cultured groups which have been long established or have become part of the permanent population in German colonies, while it deems other elements of the non-white population to be members of non-indigenous coloured tribes. Natives are all those members *by blood* of an aboriginal people, including the offspring fathered on native women by men of the white race even when mixing with white men maybe have taken place through several generations" (italics mine).

This ruling, from the divorce proceeding of a mixed-race Ovaherero woman, was a precedent-setting definition of racial identity: previously, upward mobility-enabling racialization was tied to culture, but now it was a result of blood, which therefore criminalized miscegenation (Zimmerer 2003)[36]. This new separation articulated the state's need to surveil both natives and whites through the imprinting of racial identities upon and within bodies through a process of epidermalizing inferiority, or objectifying the Black body and ascribing meaning and qualities to color within a visual "epidermal racial schema" (Fanon 1952). Colonial race-making is a surveillance paradigm predicated on "the prevention and management of risk through predictive

[36] Without asserting that this civil case served as the origin, the equation of blood/heredity-based ethno-racial identity with citizenship and therefore claim to land exists within the same regime of land and identity as Walther Darré's *Blut und Boden* ("blood and soil"), coined in the late 19th century and popularized during the rise of the Nazi Party. *Blut und Boden* represents a nativist politic complementary to *Lebensraum* that territorializes a populous defined by race (i.e. "blood) with a bounded sovereign territory (i.e. "soil").

or anticipatory means" (i.e. group regulation through assignment of alleged *predisposition* to some deviant behavior) and "the presumption of guilt…assigned to some based on their membership within a particular category or grouping" (Marx 1998; Browne 2015).

Per the scientific conventions of the time, biology or genetics defined a racial group, and so naturally group mixture would produce an entirely new race. Scientists debated whether this new race would be "genetically stable" while others perceived these mixed peoples to be constantly fluctuating, either "expressing a mishmash of traits from both parent races, splitting into two opposing types, or reverting to one of the two ancestral genotypes" (Steinmetz 2007). These debates were driven by biologized conceptions of "culture" and "civilization" as producing the kinds of essential phenotypical differences It is within the context of seeking to better understand the specific nature of Basters' racial hybridity that Eugen Fischer's began his anthropological work in the colony in 1908. His study involved 310 mixed race children, and included examinations of phenotypical traits associated with racial identities including "head and body measurements, eye and hair examinations…to determine which racial characteristics were dominant" (Lusane 2003; Steinmetz 2008).

Anthropological image-making, in serving as a means through which Europeans worked out notions of themselves and "others," clearly had come to serve as an imperial tool in the tethering of racial classification to imperial biopower (Zimmerman 2001; Banta and Hinsley 2017). By now, colonial administration and population management had become associated with the creation of standardized imagery, including "anthropometric, medical or forensic photography" in a rendering of classificatory images and organizing "visual indices that produce them as objects of a desiring western gaze" (Rizzo 2013; Campt 2017). Fischer's archival images

Figure 2.1: Archival images (including a series of family studies on the upper right hand side) from Eugen Fischer's studies of the Rehoboth Basters. All images from the estate of Eugen Fischer, housed in the historical archives of the Max Planck Institute, formerly the Kaiser Wilhelm Institute. Photographs taken by and used with the permission of Theresa Locker.

are an indexical system of "Baster features" that serves a science-as-carceral functioning, it is an informal registration (i.e. it is not establishment of the Basters as governed subjects in the way that a pass card or state-issued photo identification would), but a surveillant registering of blackness nonetheless (Brown 2015). The photographs "claim the legal status of a *visual* document of ownership" through "a system of representation capable of functioning both *honorifically* and *repressively*"; this anthropological racial archiving, of course, functions as the latter (Sekula 1986). Sekula (1986) duly describes the archive as a "social terrain" that maps images onto stratified social arrangements. As critical components of the archive, physiogonomy and phrenology — assessments of the face and the head as revealing inner character (moral-

ethical, *as well as* intrinsically biological) — twinned "nonspecialist empiricism" with Fischer's anthropological scientific attempt to produce a stabilizing logic of and for fixed racial identification. This would yield a kind of visual empiricism that could authoritatively produce and reproduce images of pure racial types in the same way Galton's coupled interest in heredity and criminology tasked him in capturing a "biologically determined 'criminal type'" (Zimmerman 2001; Rizzo 2013). These photographs of the basters (and then, the Rhinelander bastards) and their socio-scientific classifications co-authenticated imperial projections of race and indigenous reducibility to a universalizable and immutable racialized and ethnicized phenotype which can be visually understood using photography as an analytic for Mendelian heredity (Tagg 1988; Godby 2010).

Using this idea of heritability as well as classical anthropological notions of race that affixed phenotype and heredity to a racial group affixed to a geographic location, he concluded that there was no genetic dominance of one race over the other: that mixedness did not yield any abnormalities in the reproductive abilities of the offspring nor did the mixing yield inherently inferior subjects. He found that African and European traits are not inherited in genetic clusters that produce a starkly racializable phenotype or physical characteristic. Instead they express in a multiplicity of different combinations: the distinct racial-genetic populations "mix without blending" because "particular racial alleles had never in fact been lost to the population." The Rehobothers, thus, were a "*ein Rassengemisch…keine Mischrasse*," ("a racial mix, not a mixed race") that were to be stabilized as an intermediary race (Steinmetz 2008). He claimed that the Basters' intellectual capacity was equal to their European parentage and they would be more intelligent than other "pure" groups *and*/but simultaneously that "'culturally' the psychological

and intellectual aptitude was inferior to that of 'pure' whites" as it was mediated by African blood — this essentially nullified claims of equality between German settlers and the Basters (Campt 2003). Despite failing to conclude the unequivocal inferiority of the mixed-race group, Fischer emphatically opposed miscegenation. In his influential 1913 text about this research, *Die Rehobother Bastards und das Bastardisierungsproblem beim Menschen* ("The Rehoboth Basters and the Human Hybridization Problem"), Fischer writes: "If there is the *probability,* or even the mere *possibility* that bastard blood damages our race without the realistic chance that it will improve us, *any absorption must be prevented.* I take this to be so absolutely obvious, that I can consider any other point of view only as that of complete biological ignorance [...] this is about the *survival* - I choose my words consciously - of our race, this has to be the main criterion, ethical and legal norms just have to be secondary to that."

Within his own proposals for German colonial policy, Fischer also offered an apartheid system prior to its introduction to South Africa. Where the Ovambo and Ovaherero would be "agricultural laborers" and the Nama would be pastoralists, the Rehobothers would be positioned as the relatively privileged intermediary class between settlers and natives: "as native craftsmen and manual laborers…, as policemen, i.e. minor officers, foremen, and leaders of the entire supply lines and vehicle pool of the government, troops and private persons, in part as small farmers in their bastard country, to which everyone returns after serving their time" (Schmuhl 2008). They were, however, to be classified as natives which would cap upward mobility within the colony and illustrates the deep anti-blackness inherent to German notions of citizenship (Kestling 1996).

Partially motivated by the conclusions of Fischer's research, Germany's 1912 ban on interracial marriage in the metropole followed the 1908 ban in German South West Africa, and regardless of whether these colonial bans on intermarriage could actually be enforced, their primary purpose was to biologize German citizenship in both the colonies and the metropole. The bans sought to legally categorize race by restricting the ability of German men to confer fundamental rights as German citizens to their mixed race children whose claims as German citizen-subjects would be equal to whites despite contemporary racial hygiene science asserting white superiority (Falser Smith 1998; Wildenthal 2001; Campt 2003). As a part of this "enforced intermediateness," native policy towards the Basters resolved the conundrum of their hybridity by creating land agreements with and permitting them self-governance on, functionally, a land reserve in order to stabilize their racial subject position via geographic isolation (Steinmetz 2007). The anti-miscegenation policy in the colony, then, was aimed at the prevention of the mixing of the Rehobothers with Germans — preventing the Germanization of this group whose existed pre-dated South West Africa's colonization, if you will — in attempt to curb the number of "natives" in the colony who could ostensibly make citizenship claims (Steinmetz 2007). The ban in mainland Germany was characterized by debates about these hierarchized distinctions between racial groups and increasingly began to tether nationality laws to a taxonomy of Germanness (e.g. German by nationality, German by "blood," German by culture, and so on). The ban afforded citizenship to mixed race offspring of white male German citizens, but African natives from former colonies were not permitted citizenship (El-Tayeb 1999).

The Rehoboth Basters as the origins of this pseudo-discipline of "bastard studies" also crystallizes a relationship between this eugenic work and the relatively new biomedicalizations

of the long ongoing Jewish question despite antisemitism not being the primary focus of German racial hygiene until the later years of the Weimar Republic. "*Mischling*," the German word for a mixed race person, was first used to describe the Basters and subsequently became a part of the larger German racial grammar when Fischer's conclusions about the African Basters became a part of the scientific foundation for the 1935 Nuremberg Laws after being filtered through Adolf Hitler's ideas about Aryan purity (he read Fischer's work whilst imprisoned at Landsberg following the failed Beer Hall Putsch, and integrates these ideas into his famed 1925 manifesto, *Mein Kampf*). In both cases, the word is deployed as kind of pejorative and actively delegitimizes the identity of the individual it is used to describe through the shared scientific frame of eugenics and racial hygiene that connect anti-blackness and antisemitism (O'Donnell 2005).

Bastard Studies in the interwar period

The Nazi scientific apparatus became as robust as it did was not necessarily because all German scientists and research specialists (e.g. scientists studying tropical medicine in Germany's African and Pacific colonies) agreed to Nazism conceptually and politically, but because of the assimilation of imperial research agendas into continental work after World War I. Germany's loss of its colonies, lamented widely as a loss of [inter]national might also meant the inability for scientists to access field research. After the war, science became "colonialism without colonies": medicine, human geography, pathology, anatomy, and other disciplinary work and research conducted in colonies were attuned to colonial management and administration. In the Nazis' consideration of re-colonizing Africa, ethnologist Richard Thurnwald developed a model for a

new colonial administrative structure based on a synthesis of previously applied biosociological and geopolitical concepts (*Lebensraum*) and Nazi-era politics (the *Führer* principle of political authority) (Kestling 1998; Neil 2014). In his bridging of colonial ethnography with "ethnographic research at home," colonial ethnosociology and population management systems worked in tandem with Nazi discourses about Germanization of the eastern Europe (Steinmetz 2014). This orientation was maintained in racial hygiene and eugenic scientific work in the metropole in which they were participants (Schmuhl 2008). For example, Hans Zeimann, the head of medical practice and administration in Kamerun (Cameroon) co-founded the department of parasitology following his appointment at the Military Medical Academy and was emphatic in his support of the reclamation of Germany's colonies. Ernst Rodenwalt, previously a physician in German Togoland (Togo), headed the Institute for Tropical Medicine and Tropical Hygiene at the Military Medical Academy in 1940 and lectured on racial hygiene (Neil 2014). The most famous of these researchers is parasitologist Claus Schilling who first conducted Nazi-funded malaria research on psychiatric patients at Volterra and San Niccolò di Siena, asylums in fascist Italy because the Italian government was concerned about Italian troops' vulnerability to malaria during the Second Italo-Ethiopian War (1935-37). He was then given a malaria research station at the Dachau concentration camp where he performed experiments on prisoners, injecting them high and even lethal doses of anti-malarial drugs after exposing them to malarial mosquitos — he was executed following his conviction in the 1945 Dachau trials (Spitz 2005; Hulverscheidt 2006; Neil 2014).

The most critical development was in the formation of Kaiser Wilhelm Institute for Anthropology, Human Heredity, and Eugenics, the institution most central to Weimar German

eugenics. The development of racial hygiene research during the Weimar Republic represented the creation of a "modern type of science which was eminently suitable for restructuring on such a nationally coordinated and applied basis." With the founding of the institute for anthropology, human hereditary, and eugenics — which joined already existing institutes for biology and psychiatry, which were conducting eugenics research within their respective fields — eugenics was formally institutionalized and strengthened as a field of reputable scientific inquiry[37] and, eventually, Nazi racial statecraft (many German scientists denounced the likes of Arthur de Gobineau's work as conservative nationalism and pseudoscientific Aryanist propaganda, attempting to establish controls which would prevent their genetic, anthropological, and other research from being used similarly) (Weindling 1985). The institute was formally opened in September 1927 during the 5th International Congress for Genetics, which was led by German geneticist (and future director of the Kaiser Wilhelm Institute for Plant Breeding Research from 1929 onwards), Erwin Baur: influential anthropologist Eugen Fischer was appointed as its director. In his inaugural address likely directed towards international geneticists concerned about the collapsing of the scientific field with racial anthropology, he declared that the new institute will "have to research in the most general sense all problems that can be summarized with the problematic term of 'race theory' at this time, [...] of course, on a purely natural scientific foundation and free of any other kinds of reasoning." Despite the racial supremacism perceived to animate all of the research, the boundaries between *true* scientific research and

[37] There was an "emphasis on the scientific image of eugenics [that] was conveyed by the use of the term *Eugenik* in preference to *Rassenhygiene*" in an attempt to further affirm the public and professional image of eugenics as a legitimate science (Weindling 1985)

increasingly recurring racial problematics in eugenic work understood as *pseudo*scientific were to remain clear. He went on to say:

> "Today it is no longer possible for the scientist to completely avoid the questions so notorious in politics, of the meaning of race for nation and humanity. But *he must study them objectively, not attack them as in an agitory fashion*. In reality we are still infinitely far from any certain findings on these issues. However, it is certainly justified to ask what race and belonging to a race means or does not mean for nations and for groups of cultures. It is imperative that these questions be illuminated scientifically by anthropologists. *The point is not to create race prejudice, but race knowledge*" (Schmuhl 2008) (emphatic italics mine).

In his institutional role, Fischer received University of Berlin's skull collection (begun by Rudolf Virchow and vastly expanded by Felix von Luschann) though he was trying to move his work beyond the eugenic practice of anthropometry — "mere skull measuring." He sought to couple anthropology with genetic study in a new field he called anthrobiology. In disavowing more classical conceptions of race rooted in pure taxonomical organizations "that proceeded from morphological features" (the understanding of race with which he had studied the Rehoboth Basters), he moved towards a new idea of race which was "conceived in terms of evolutionary biology and grounded in genetics." He began to focus on geographically defined ideas of "local races" whose genetic compositions were a product of the places of which they were native inhabitants and the varying degrees and nature of isolation and adaptation (e.g. genetic and evolutionary change as a result of mixing with other, genetically distinct groups), respectively. In creating these mappings of genetic-racial variation, he considered other heritable characteristics including blood type, family disease histories, and other traits that could be understood as a function of one's genetic genealogy (Weindling 1985). This novel

field of anthrobiology, coupled with the study of external appearance[38] yielded an anthropological account of race where racial appearance (i.e. genetic expression as racializable phenotype) was a result of the combination of one's environment and genetic composition. This consideration of environment, phenotype, and trait inheritance could be applied to basically all "anatomical, morphological, physiological, pathological, and psychological features and characteristics"; and the field of methodological inquiry was equally capacious as these answers could be investigated including "anthropometry, 'bastard research," clinical diagnostics and pathology, embryology, genealogy, and genetic family research,' and psychological suitability diagnostics" as well as the new modes including "experiments on animals, blood group research, [fingerprinting], and…twin research" (Schmuhl 2008).

Although the "field" of twin studies had begun with Francis Galton*,* the Kaiser Wilhelm Institute for Anthropology's uptake (and specifically the Otmar von Vershcuer-headed Department of Human Genetics) of the discipline represented a paradigm shift from earlier studies, and not simply because of the advent of new scientific technologies[39] that allowed for a greater degree of certainty in distinguishing identical from fraternal twins. Because identical twins came from a single fertilized egg and fraternal twins were a product of simultaneously fertilized but separate egg cells, twins could be understood by investigating both genetic and environmental differences — and because the effects of environmental forces was presumed to be equal for both twins, this method of study offered a "nearly universally utilizable instrument

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[38] "Hair shape, pigment ratios in skin, hair and iris, skull shape, body size and proportions, and shape of nose and lips" (Schmuhl 2008)

[39] The main breakthrough in this discernment was Hermann Werner Siemens' 1923 "polysymptomatic similarity diagnosis," which utilized a large array of phenotypic characteristics that were generally found to be similar in identical twins and different in fraternal twins including "hair color and shape, skin color, [the color of the fine fetal hair that is sometimes still present on newborns], [and] freckles" (Schmuhl 2008)

for the practical investigation of the problem of heredity vs. environment" because every measurable phenotypical characteristic could also be tested for concordance or discordance between the two. Hans-Walter Schmuhl (2008) identifies a fourfold paradigmatic shift. First, the study assumes a level of discreteness between one's genes and one's environment without particular clarity about the border or interaction between the two. Second, the different aspects of genetic makeup and environmental conditions were not analyzed beyond relatively essentialized binary categories. Third, the research was predicated on the idea that heredity and the environment had an additive interaction (as opposed to understanding interactions as more complex and synergistic) whose magnitudes could be quantified. Finally, the oversimplified ascription of phenotypic outcomes to either heredity or environment lent itself too easily to the assignment of a specific gene for a particular outcome, whether it be hair or skin color, disability or intelligence, or predisposition to anti-social or criminal behavior. As with many other sub-fields and practices within eugenics and racial hygiene, twin studies is heavily pseudoscientific in no small part because, as Christoph Mai describes, scientists "explicitly determined the goals and practical application of their research under the aspect of their eugenic-race hygiene – i.e. sociopolitical – usability." They did not adhere to so-called objective scientific protocols but rather used this research and the "pathologies" it investigated as a means of making empirical the state's biopolitical agenda (which was often referred to as "applied biology" by the Third Reich, during which time the scientific content and practice did not change significantly, but rather its interpretation and application) (Macrakis 1993; Ehrenreich 2007; Schmuhl 2008).

Beyond research about the heritability of tuberculosis, twin studies at the institute was not explicitly illness-based prior to the final years of the Weimar Republic: the center did not

produce any twin study research that investigated mental illness, degenerative diseases, or any kind of physical disability (Schmuhl 2008). But, the research was being carried out by Verschuer who, in 1927, was a strident advocate for the sterilization of individuals deemed biologically or morally deficient — it was a research foundation that lent itself to the pivot of eugenics *as* a race-making and sustaining science, a marked scientific turn during the Nazis' forced integration of this science (understood by many eugenicists as advocating for social improvements) into their exclusionary nationalist, racialist, and eventually genocide-justifying and perpetrating worldview. It is critical to mention that many of the leading geneticists and eugenicists in Weimar Germany, including Richard Goldschmidt, were Jewish. Many had not foreseen this appropriation of eugenics for nationalist and antisemitic political agendas, and Goldschmidt complained about Nazi "perver[sion]" of eugenic sterilization legislation, which was used as a means of reducing costs of institutional care for the mentally ill (i.e. a positive politic of sterilizing asocial individuals so as to ensure they do not reproduce) (Weindling 1985). This divide speaks to the timeliness of debates about the politically chargedness, value neutrality (as far as the purported objectives of "population health" and "societal improvement"), and far-reachingness of eugenics and genetic heritability as a means of understanding human sociality. We see this turn, as well, in Fischer coming to collaborate with the Nazi Party (including holding an influential position in post-1933 scientific evaluations and implementation of new sterilization legislation and compiling anthropological records and surveys of the entire population with the eventual Nazi goal of creating a centralized register for hereditary disease and disability) following his appointment as rector of Berlin University after previously disavowing them (Weindling 1985).

Some of the work recognized as the most egregious within the Nazi medico-scientific apparatus came out of the genealogy of twin studies. Following his time at the Kaiser Wilhelm Institute for Anthropology, von Verschuer went on to be the founding director of the Institute for Heredobiological Research in Frankfurt; his first assistant in this new research institute was none other than Josef Mengele, an anthropologist who studied racial morphology. As experts in race science, Mengele and von Verschuer both served on the Nuremberg Law-mandated racial courts that established racial identity (and thus citizenship) by way of medical examinations that evaluated both heredity and physical characteristics. In 1943, Mengele was appointed as the head physician of the women's section of Auschwitz where he conducted his now infamous sadistic medical experimentation on prisoners, most notably twins. In addition to this experimentation, Mengele sent Verschuer hard-to-access physical specimens — "human eyes, human heads, and blood" — from the concentration camps (Seidelman 1988).

The Rhinelander Bastards

Post-war enforcements of the conditions of the Treaty of Versailles saw a coalition of Allied soldiers occupying areas along the Rhine River from 1920. France's troops consisted of soldiers from its African colonies, most notably from Senegal. A racist propaganda campaign in Germany was subsequently launched singling out Francophone African soldiers as "violent rapists and sources of moral corruption," subsequently evolving into and invoking motifs of brutish and rapacious Black men whose uncontrolled animalistic sexual appetites threatened the safety and security of virtuous white [German] women whose purity is constantly under threat in the anti-Black racial imaginary (Wigger 2002; Van Hoesen 2014). German officials described them as

"savages," and by 1917, the German Colonial Office had complained that the French use of *la force noire* was endangering European civilization writ large by using the "'colored world' against the fatherland" and that this endangerment comes from the particularly potent threat of a permanent "mulattoization (*Mulattisierung*) in the heard of white Europe" in the words of physician Dr. Franz Rosenberger. Rather than describing the simple phenomenon of miscegenation, this notion of "mulattoization" describes the fundamental alteration of the racial-genetic character of Germany that occurs as a result of race-mixing. Using Mendelian genetics, Rosenberger claims "that the human genealogical line takes 300 years to cleanse itself of a single mixture with alien blood" and the "German race [would] be polluted for centuries to come [because of the] multiple and manifold mixture resulting from colored occupation" (Roos 2012, 2013; Conrad 2014). The offspring of white German women and these African soldiers were described as the *Rheinlandbastarde*, or Rhineland Bastards.

Describing these soldiers as the "Black Shame," the "Black Horror," (the colonial troops were frequently referred to and "Black horror on the Rhine (*schwarze Schmach am Rhein*)") and the "Black Pest" (language analogizing Black people as microbes was common) were not simply articulating a further undermining of German sovereignty (which had already undermined by the emasculating conditions of the Treaty of Versailles) and a security risk to German civilians. This language was intended to invoke racist moral panic and solicit white solidarity, communicate the white masculinist shame of military defeat and post-Treaty national anxieties, and, perhaps most importantly, how their very presence represented and [geo]political-ontological threat to European civilization and modernity itself via the injury to its heart/geographic center (the threat initiated by the prospect of racial equality not only in the military, but throughout German

society, which would deprive German men of their allegedly natural superiority) (Campt, Grosse, and Lemke-Muniz de Faria, 1998; Mass 2001; Roos 2012; Wigger 2002). The African presence triggered German fears of race-mixing, and these anti-occupation "Black horror propaganda" images were meant to dissuade interracial fraternization, whether platonic or [hetero]sexual. One tactic was to fabricate and exaggerate soldier illnesses, like claiming that "100 percent of the native troops were afflicted with syphilis, skin disease, and parasitic worms" and also were carriers of "malaria, dysentery, consumption, leprosy, venereal diseases, trachoma, typhus, plague, and cholera," literally evoking ideas of the Black body as a polluting disease-carrying vessel and thus racially- biophysiologically inferior (Roos 2012; van Hoesen 2014, 322). Germany manufactured this "regional, national, and international protest"-cum-political crisis through the construal of this black African military figure as an enemy and a menace to German civilians, a threat to international peace (there was transnational and trans-sectarian white support and political consensus, notably, from South African President Jan Smuts, among others) and "European social order and its culture" and "the enlightenment concept of a hierarchical development of human progress" (Pommerin 1982; Koller 2001; Wigger 2001, 2002; Roos 2012; Conrad 2014). Further, it deliberately invoked colonial fears of and contempts for "urbanized and proletarianized Africans" (Steinmetz 2014). This social-geopolitical movement — one about the protection of borders and national-racial integrity — was easily connected to racial hygiene science that was slowly beginning to consider genetic-racial identity as a heritable characteristic and where racial purity would be undermined in the long term by these "occupation children (*Besatzungskinder*)" Roos 2013. The consensus came about because German propagandists deployed a universally understood "post-Enlightenment scientific discourse on race which

defined race as essence" and attributed that essence to the application of biological science to human geography (Campt 2003).

According to cited state statistics, 385 mixed-race children — "201 male and 182 female" (Pommerin 1982) — were born between 1919 and 1925 as a result of the relations between German women and African soldiers "who invaded the gendered and generational zones of [German] women and children" (Van Hoeson 2014). They posed an even greater threat than their black fathers because their illegitimacy contested German morality, and as ostensibly German citizens, they compromised a stable white German national identity as the blood-based notion of race and citizenship-purity precluded blackness from German citizenship and their existence further exacerbated nationalist anxieties (Germans were self-conceiving as a *colonized* people) that had been animated by the occupation (Campt, Grosse, and Lemke-Muniz de Faria 1998; El-Tayeb 1999). At the same time that the German government sought to keep secret the existence of these mixed-race children, sterilization was being considered within the context of racial hygiene (as opposed to simply with the intention of preventing individuals with hereditary illnesses from reproducing) — it had been recommended by the Bavarian Minister of the Interior as early as 1927 (Kestling 1998). While sterilizations on the basis of racial identity were illegal and conducted privately, racialist scientists like Alfred Ploetz, Fritz Lenz, and Ernst Rüdin found hope in Hitlerian conceptions of German nationalism which emphasized the purity of German blood[lines] and critical to the survival of German people (and the conspiratorial idea that Jews had brought Black soldiers to occupy the Rhineland and corrupt Germany). Shortly after the Nazis came to power, they ordered a census to collect the number of "mixed blood" children in Germany. In 1933, KWI-A researcher Wolfgang Abel was responsible for photographing them

and observing and measuring their hair, skin color, craniometry, and facial features; Abel allegedly found significant evidence of physical abnormality and weakness, "early psychopathic stigmata" (which included "'crying out at night, nail-biting, eyelid flutter, speech impediments' and nervous excitability") (Schmuhl 2008) and other mental-emotional and behavioral difficulties as a result of their traits inherited from their non-white parentage (Pommerin 1982; Seidelman 1988; Haas 2008). Abel concluded that "the main cause of the adverse condition of the Rhineland bastards within our population is found in the mixture of Caucasian with Negroid and Mongoloid races" (Schmuhl 2008), and later, within Nazi psychopathology, race also came to be understood as an eradicable pathology (though was not included in the 1933 Law for the Prevention of Hereditarily Diseased Offspring and would only be formalized in legislation two years later[40]). Because it was not possible to create legislation for sterilization as that would result in a diplomatic crisis, the solution, then, was to privately and illegally sterilize the children using doctors that were party members or otherwise sympathetic — between 385 and 500[41] (of the estimated 600-800 total) of these pre-pubescent and pubescent children between 7-17 were

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[40] Authored by Ernst Rüdin, Arthur Gütt, and Falk Ruttke, the Law for the Prevention of Hereditarily Diseased Offspring (1933) classified the following as sterilizable genetic/hereditary disorders: intellectual disability, schizophrenia, manic depression, epilepsy, Huntingdon's disease, blindness, deafness, and any severe physical disability (or "deformity"), and also alcoholism. Passed in 1935, the Law for the Protection of German Blood and German Honor and Reich Citizenship Law (collectively known as the Nuremberg Laws for The Protection of German Blood, or Nuremberg Laws for short) legislated against both intermarriage and extramarital sex between Jews and Germans and also made a ruling about German citizenship and racial composition. Someone who is 1/8 Jewish is *Deutschblütiger*, or German-blooded, and approved to have Reich citizenship, and someone who is ¼ Jewish is *Mischling zweiten Grades*, or 2nd Degree Mixed Race and someone who is ⅜ or ½ Jewish is *Mischling ersten Grades*, or 1st Degree Mixed Race, and both only partly belong to the German nation but are still also approved to have Reich citizenship; but someone who is ¾ or "completely" Jewish belong to the Jewish community and are not afforded Reich citizenship. Two months after the law's passage in September 1935, it was expanded to include Romani and Afro-descendant communities, i.e. blackness and Romani identity were similarly codified as antithetical to German citizenship (though Romani and Sinti peoples were specifically categorized as enemies of the German state along with Jews, and specifically marked for mass extermination through Germany's genocidal campaign whereas Black people were not).

[41] Because of the secrecy of the sterilization program, it is uncertain exactly how many children were sterilized, though estimates generally place the number between 385 (cited by Pommerin and others who have subsequently cited his work) and 500.

sterilized (Pommerin 1982; Mbabuike and Evans 2000; Evans 2005). Medical examinations contained notes that described the children as "show[ing] corresponding typical anthropological characteristics" of their North African, West African, or Black American parentage which was the justification for their sterilization (Pommerin 1982). Though an publicized part of official Nazi policy, these mixed race Bastards were the first racial group subjected to the party's "medical intervention" in 1937 (Haas 2008). The primacy of this racial grammar is illustrated well in this photograph of white girl-children (students at the Berlin School for the Blind), "learning Mendelian genetics and racial characteristics by examining head models" — despite not being able to literally visualize or *see* race with their eyes, they were nevertheless socialized into understanding racial identity via phenotypical characteristics that correspond with color assignments. The irony is that these children would have to submit themselves to sterilization because blindness was one of the heritable traits that demanded elimination. But they were nevertheless socialized into understanding and maintaining this racial schema.

Figure 2.2: Image credit: Blinden-Museum ander Johann-August-Zeune-Schule fur Blinde, Berlin, c. 1935)

Antisemitism vis-à-vis anti-blackness

Michael Rothberg (2009) conceives of memory as multidirectional rather than competitive, as rhizomatic and containing vast semiotic interconnectivity as opposed to the rigidity of the causal-chronological (Deleuze and Guattari 1987). It is ahistorical to assert singular causality (e.g. the Nazi Holocaust was motivated solely by antisemitic animus) or event uniqueness (e.g. the unprecedentedness of Nazi antisemitism, German genocide, or "Nazi race science"). Rather, layered and processual governing logics of race making co-constitute these racializations which are constantly converging, being reinvoked and reinscribed. Long existing exclusionary Christian empire-making produced the figure of "the Jew" as a religio-cultural outsider. As "culture" and "civilization" became increasingly synonymous with biologized race, however, this cultural otherness was transformed into a racial[ized] otherness. The Jew became "Semitic" — a racial outsider to a hereditary/biological rather than solely cultural whiteness/Europeanness — through the very discourses and logics that birthed a continental whiteness from Europe's exclusive enslavement of Africans. Understanding racial formation in this way notably rejects the exceptionalist "Holocaust teleology" that would retrospectively understand and historicize Nazi genocide as the inevitable conclusion of European antisemitism (Omi & Winant 2015; Bell 2018). Discourses around anti-blackness and antisemitism within the German national frame "realized for 'natives' much of what contemporary racial anti-Semites envisioned for Jews back in Germany" in what Dorian Bell (2018) describes as "racial scalarity," or the temporal and geographic adjustments made to expressions of racial logics as they seek to alleviate and resolve their own internal contradictions, including shifting responses to the so-called "Jewish question" (Davis 2012). The horrors enacted on the African continent, namely the genocide of

the Ovaherero and Nama, were not "rehearsals" or "practice" for Germany's grand finale of its often conceived-as-inevitable Final Solution to the Jewish Question — it was an imperial outcome unto itself, but one that brought race war/mass extermination into the arsenal of future German biopolitical possibility, particularly as Germany grappled to steady and resuscitate itself after the loss of its colonial holdings and demographic changes after World War I (Campt, Grosse, and Lemke-Muniz de Faria 1998).

Elizabeth Baer (2017) introduces the concept of the "genocidal gaze" to describe the evolution from Germany's imperial seeing to a pointedly genocidal seeing. While the imperial gaze "privileges the gazer and denigrates the gazed upon," the genocidal gaze "provided the German imperialists with a rationale for their depredations on the land and the people of Southwest Africa" — the genocidal gaze is trained on extermination. But the imperial gaze is always already a genocidal one (and vice versa) because the power to kill individually or en masse — to fully exclude peoples from the realm of human, to revoke their juridical humanity (i.e. legal recognition of personhood vs. property) — inheres within the imperial organization of power: imperial empirical (i.e. using scientific logics) apportioning of humanity, whether to *simply* enslave or render as colonial subject or to annihilate, is necessarily genocidal as it is a structuring of sovereign power around "the material destruction of human bodies and populations" (Mbembe 2003; Esmeir 2006). Germany's imperial gaze was shaped by a decidedly anti-democratic scientistic drive where classificatory decisions made by scientific elites contoured statecraft rather as opposed to popular notions of sovereignty: *Lebensraum* drove the nation-state's expansion beyond the European continent. Imperial anthropological ideas were markedly antihumanist. Where the European was Man, the African (and other non-European

peoples) was a non-human and defined through a frame of colonizability. Germanness as whiteness was more clearly articulated through what it was not than it was in the positive: it was the foil to the "unrevisable subalternality" of African peoples described by colonial empiricisms as peoples without histories; native policy in German South West Africa was not only population management and colonial administration, but it was the means by which "the colonial state identifies, produces, and reinforces the alterity that is required by the rule of hierarchical difference" (Steinmetz 2007). Anthropological study took on a central importance because Germanness was constructed contra to so-called "natural peoples" with less developed (or otherwise contemptible) histories and cultures and this heavily governed scientific agendas during imperialism as well as the imperial field study folded into German metropolitan science after Germany lost its colonies after World War I (Zimmerman 2001).

Anti-miscegenation policies in the contexts of both anti-blackness and antisemitism were united in their shared frame of the threats posed to the purity and integrity of German bloodlines. Implementation of anti-miscegenation policy occurred in the colony because poor quality "Negro blood would degrade European genes, and the aggregation of mixed race offspring of these unions would collectively lead to the destruction of European culture and civilization (Haas 2008). Black populations in Germany were relatively small, but they were nevertheless classified as a "minority with 'alien blood'" (Kestling 1998). Pre-modern racialization of Jews, or rather essentialist differentiations, precede the 18th and 19th (respectively) introduction of *Rasse* (race) and *Antisemitismus* (antisemitism) into the lexicon of German racial hygiene and eugenics by centuries. While we cannot use the temporal absence of language explicitly deploying language of biological-as-genetic-as-racial identity as evidence of the absence of medieval racecraft,

understandings of "blood" as defining and marking ancestral lineage and discrete populations are critical precedents to post-Enlightenment scientific racism (Heng 2018). These binary conceptions of essential difference were always already logically racial because of how they "imagined one group as polluting and the other pure, one to be isolated and exterminated, the other to be protected and reproduced" (Nirenberg 2014). Post-Enlightenment racial antisemitism is not a radical break from, but rather a part of the genealogy of Judeophobic[42] legislation and ideas, including the Spanish *limpieza de sangre,* or "cleanliness of the blood." This doctrine articulated a distinction between "Christians by nature" (i.e. Old Christians) and Christians descended from Jewish converts, thus ascribing a hereditary uniqueness and purity to the former, many of whom refused to intermarry with converts of Jewish blood because of the faith implications of sullying one's bloodline with that of a heretic (Martinez 2011). By insisting that the classifications of Abrahamic religions in Spain were "culture" or "caste"-based because Spaniards of the time (save enslaved Africans) largely shared a phenotype, historian Américo Castro and others fail to recognize that both "caste" (which bears striking similarity to influential French antisemite Ernest Renan's writings about the "Semitic race") and "race" are classificatory means by which to essentialize and stabilize group identities and ideas of lineage that had been *de*stabilized by mass conversions between 1391 and 1415 following waves of anti-Jewish massacres and pogroms (Nirenberg 2002, 2014). Familiarly, physical segregation in Jewish quarters and identifying clothing were two means by which Jews were to be more easily

[42] The apparent bifurcation between the "biological" and the "cultural" is a fabricated one (especially as anthropology has often used the "cultural" or "civilizational" to refer to the "biological" or "racial"), where the latter has historically been a gesturing at a classification of fundamental difference and hierarchy that the former crystallizes in the vocabulary and scientific evidence that structures modern notions of race.

distinguished from Christians because of phenotypical similarities between Christians and Jews being further complicated by conversions and intermarriages (Nirenberg 2002).

Proctor (1988) uses the sterilization of the mixed race German offspring as evidence that German racial hygienists "were as concerned with German-African miscegenation as with German-Jewish miscegenation." In fact, Nazi officials were asked to confirm that they did not have Jewish or "colored blood (*jüdische oder farbige Anschlag*)" as Nazi euthanasia policy came to extend to "alien blood" (Blacks, Jews, and Roma) in addition to mental and physical disabilities (Kestling 1998). Within the Nazi mythos, these two undesirable racial genealogies were related, with the racially "Semitic" Jew being an impure "hybrid" of "the Negro and the Oriental" (i.e. the "Near East" or geographic area roughly covering Western Asia and the Muslim world). The twinned dangers of the Negro and the Jew were articulated in other ways. Invoking the Protocols of the Elders of Zion[43], Hitler stated in *Mein Kampf*: "It was and is the Jews who bring the Negro into the Rhineland, always with the same secret thought and clear aim of *ruining the hated white race* by the necessarily resulting *bastardization*, throwing it down from its cultural and political height, and himself rising to be its master." Antisemitic canards become an important part of European imperial racecraft because the trajectory from Judeophobia to contemporary [racial] antisemitism became about concretizing the boundaries of a scientifically

[43] The Protocols of the Elders of Zion is a fabricated but nevertheless influential Tsarist era Russian text claiming to describe a late 19th century meeting in which Jewish elders (the Elders of Zion) were methodically plotting out a plan for global domination using the media and financial institutions, and generally sowing disorder throughout the white Christian world. This text, whose predicted publication at the beginning of the 19th century, seems to correspond with anti-Jewish pogroms within the Russian empire, leading to reasonable speculation that the same forces responsible for its publication and dissemination were also a part of the incitement and execution of these pogroms. In line with the Protocols, there was a frequent invocation of the social and political influence of Jews over Black people, animated particularly by anti-communist responses to the antisemitic construction of "Jewish Bolshevism" (i.e. that communism was a Jewish conspiracy) that emerged after the 1917 Russian Revolution. This was embraced wholeheartedly by American anti-integrationists and the vehemently anti-communist Nazi Party alike, and this relationship was articulated by the latter through propagandistic opposition to so-called "degenerate art" including jazz music.

constructed whiteness (rather than whiteness vis-à-vis European Christendom) to exclude a now-biologically — rather than socioculturally and religiously inferior and excluded — Jew. Where anti-blackness became the boundary between white and non-white — where contemporary scientific racial classifications evolved out of a European color line crafted by exclusive enslavement of Africans — it also foundationalized the logics of racial othering from which *racial* antisemitism emerged.

The specter of the bastard

The transnational panic of these Black products of miscegenation — per dictates of the "one-drop rule" of pollution that describe mixed race offspring as being more racially proximal to their Black parentage than anything else — is illustrated by what Tina Campt (2003) describes as the "echoing specters of racial mixture. This is the multiply occurring encounter and reckoning with the Afro-German subject that was first articulated outwardly and externally (from the South West African colony) and then internally (in the case of "colonial" French occupation and attempts to assimilate this Black German subject born within the state) (Campt 2005). It is critical to analyze the production of gender in these encounters and how Bastard study particularly yields a racialized commentary about womanhood. In the often sexually violated indigenous African woman[44] produced a contaminating mixed race colonial subject — a blackened subject that sufficiently incited a moral panic and inspired the creation of prohibitory social arrangements (Campt 2003; Sharpe 2016). And in Weimar Germany, the most egregious injury to the nation was the violation of its creators and reproductive sustainers: the wombs of white women who

[44] The boundaries of imperial Bastard study include not only Fischer's official survey of the Rehobethers, but also bears implications for Black African women who bore mixed-race children.

were, per racist German propaganda, unequivocal victims of the savage Black African soldiers biologically conditioned to desire her.[45] These depictions of Rhenish/German women rendered them as either "passive victims of sexual violence and 'race defilement'" (a kind of proxy for the geopolitical violence of the Treaty of Versailles from the position of defeated Germany) or otherwise as race traitors if the romantic or sexual encounters were consensual (Roos 2013). The indigenous women were not similarly positioned as victims despite the overwhelming power disparity between natives and German settlers: so not only are Black women positioned as inviolable, as deprived of rights and juridical through imperial dispossession and undeserving of protection from harm, but white men were also conditionally allowed *access* to whichever women they wanted despite their position in the racial hierarchy disinclining them from doing so. White men were only considered "race traitors" in the establishment of legal relationships with non-white women (thus abrogating their responsibilities as citizens) as opposed to through rape or the solicitation of indigenous women (El-Tayeb 1999, 2005). In contrasting the racialized regards for white and Black women, it must be acknowledged that there were no reports of a German woman giving birth to a mixed race child in the colony (O'Donnell 2005).

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[45] On July 30, 1921, the *Hamburger Nachrichten* ran a piece called "Die Schwarze Schmach" ("The Black Disgrace") articulating the racial-psychosexual relation between these Black men and white women, and the way that animalistic desire is strategically deployed as geopolitical tool to weaken Germany:

"The white woman has always had a visibly privileged position among Europeans. For this reason the negro has also shown her for the most part, absolute respect and submissive obedience. But the white woman was also something different to him… *She was something unreachable to him; something he certainly only seldom consciously desired*. … Now the negro, who inhabits Africa and parts of the rest of the world in countless millions and generally stands on a lower rung of the evolutionary ladder, is not only being brought to Europe, not only being used in battle in a white country; *he is also systematically being trained to desire that which was formerly unreachable for him — the white woman! He is being urged and driven to besmirch defenseless women and girls with his tuberculous and syphilitic stench, wrench into his stinking apish arms and abuse them in the most unthinkable ways! He is being taught that…he can do anything his animal instincts even remotely demand, without the slightest restraint, he even finds support for this from the 'victors.*'"

A transnational examination of Bastard study permits an analysis of the trajectory of anti-blackness, colonial space, and German identity-making. It allows an understanding of how racialized relations to land and the peoples inhabiting them was first centered around African blackness in the imperial context, which subsequently informed a similar internal colonizing mission in Eastern Europe, which was inflected by the French occupation of the Rhine, racial antisemitism, and anti-Polish sentiments. In illustrating how anti-Black marginalization was not a fringe, and thus that Black it is imperative that we look to contemporary Afro-German communities and the historic Afro-German movement to even further understand the far-reaching implications of this violence.

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"It can now be asserted in positive language that the Bushmen were incapable of adopting European civilization…To this day there has not been a single instance of a Bushman of pure blood having permanently adopted the habits of a white man."
South African historian, George McCall Theal (1911)

Chapter 3 — [Re]Locating the San

The genocide of the Ovaherero and Nama ostensibly began with von Trotha's extermination order and its announcement that the two peoples were to be removed from the realm of German subjecthood. The implication of this action, of course, is that expulsion from colonial subjecthood is to be placed outside of the bounds of recognition and protection by German law (Gordon 2009). The San people, as a result of scientific racist colonialist ideas of their ancestry, were placed in a racial hierarchy below the Ovaherero and Nama because they were perceived to be more evolutionarily primitive, less culturally developed, and their system of land tenure functionally non-existent. Despite being rendered to the marginalia of the genocide historiography of German South West Africa, the San people — or "Khoisan" or "Bushmen"[46] as they are/were also referred to — occupy an important part of the scientific imaginary, especially with regards to human evolution, because of how their ancestry was discursively constructed.

Managing demographics

Though they are discussed far less frequently in this genocide's historiography, the San people posed a number of issues to the German settler state. As a regional first nations people, their excision from genocide memory and record is easily linked to their invisibilization in the present

[46] Although the words "San" and "Bushman" are both exonyms (members of the !Kung, Tuu, and Tshu-Khwe groups prefer to use individual group names when possible, and the collective word "San" when not), the word "Bushman" is widely understood as a racist pejorative despite some people from these groups self-identifying as such. I will use "San" where specificity is not possible, and altogether avoid the use of "Bushman" except when presenting a quote in which it is used.

— perhaps because retrospective assessments of genocidal intent[47] in collectively punishing the San are more ambiguous and less obvious than the explicit German orders for the annihilation of the Ovaherero and the Nama (Goldsmith 2010; Aydin 2014). In popular memory, relations with the San were captured in both German settler and non-German traveler written accounts, which "frequently mentioned that Bushmen were shot on sight by the Germans"; other Germans acknowledge actions that were tantamount to genocide including expeditions against the San and the orphaned children taken into German care and used as servants and laborers (Gordon 2009). The disappearing of the San from genocide memory can also be attributed to the historical structuring and narration of the genocide itself: fighting was not confined to the 1904-08 wartime period, but rather "started in 1903 and petered out into continuous police action that persisted right up to the South African invasion in 1915" (Gordon 2009). There was a lack of cheap labor as a result of von Trotha's genocidal extermination order, and following the passage of the 1907 Native Ordinances, specifically the August 1907 ordinance that permitted that San be stripped of their property and conscripted into a native labor pool, San people were located and allocated to local farmers (Gordon 2009). The capture of indigenous labor was conceptualized by many as a "problem of native policy" as the very purpose and nature of colonialism was economic expansion and exploitation (Steinmetz 2014). Because of expansion of agriculture and industry into traditional San homelands and retaliatory violence as a result of this territorial encroachment, the state enacted a robust disciplinary response with police units patrolling regions with conflicts. Part of Native Commissioner Kurt Streitwolf's statement for dealing with

[47] "It is difficult to prove that individuals and/or states possess the requisite *mens rea* to destroy a group through its genocidal acts. As with other crimes, knowing and proving that which is in the mind of an alleged criminal is challenging, and is complicated further by the existence of multiple alleged *génocidaires* and co-conspirators" (Kinseth 2019).

this issue included a harsh proclamation: “Firearms are to be used in the slightest case of insubordination against officials” including when “a felon is either caught in the act, or when being hunted down, ‘does not stop on command’ but tries to escape through flight.” One can easily imagine how liberally settlers interpreted San “insubordination” and how frequently the San would run from armed and hostile Germans farmers inhabiting or police patrolling their land — this systemic violence, described by settler press and administration alike as “*Ausrottung*” (extermination), was part and parcel of colonial society (Gordon 2009).

The Blue Book, the denounced-as-propaganda British government’s documentation of German colonial crimes and genocide, duly describes the positioning and treatment of the San in the German colony. Published near the end of World War I, the compilation of German atrocities was an evidential offering of Germany’s failed brief colonial administration and unworthiness for future rule — British-ruled Union of South African troops defeated German imperial forces in 1915, and the former colony was governed by South Africa until the Republic of Namibia’s independence in 1990. The book, then, was not a contestation of native policy or Germany’s racial typologies in any meaningful moral-ethical way considering Britain’s use of concentration camps against Boer civilians during the Second Boer War (1899-1902); it simply sought to undermine Germany’s challenge to British economic and political hegemony, particularly on the African continent. Often racist descriptions of San appearance and culture accompany native and non-native eyewitness accounts detailing descriptions of the San's subjugation by the German administration. The San’s refusal to be governed presented the gravest threat and concern to

coloniality, and within the context of the broader anthropological "Great Bushman Debate"[48], colonial German newspapers were full of rhetoric about the so-called "Bushman Pestilence" and urges for the community to be classified as *Vogelfrie*: as individuals beyond the realm of law, beyond the affordances and protections of citizenship or even subjecthood, and so, ultimately, non-human beings, which would further invalidate their territorial claims and justify settler land seizures (Gordon 1992, 2009). In debates over policy related to the San, it was made evident that settler farmers in certain parts of the country would be unable to survive without San labor. *The Blue Book* describes how the "extermination of the bulk of the natives in the south has now made it necessary to look to the northern areas for supplements to the insufficient sources of labour supply to carry on mining work and agricultural and other undertakings" (Gewald and Silvester 2003, 239). Despite ideas that their nomadism made them unsuitable to agricultural and pastoral practice (or that they were "irredeemable" and "incorrigible thieves and dangerous neighbors" by nature), *Bezirksamtmann* (District Administrator/Chief) von Zastrow of Grootfontein (in northern Namibia) champions their capacity as laborers: "It is remarkable to observe how the Bushmen serve the purpose of farm laborers. They learn to plough, to cultivate tobacco, to control oxen transport, and whatever else a farm laborer must do. Many remain for long years on the farms and become so serviceable as assistants that they are indispensable to the farmer" (Gewald and Silvester 2003). Others entertained the idea of putting them into reserves "just as elsewhere attempts are made to save the endangered animals species," per the suggestion of German anthropologist Leonhard Schulze, who also coined the term "Khoisan"; the desert they inhabited

[48] The so-called Great Bushman Debate "raged from 1906-1912 and featured the (upstart) geographer [Segfried] Passarge, who argued that Bushmen were integrated into a wider economy, and the prominent anthropologist [Gustave] Fritsch who felt that Bushmen were unique representatives of a former epoch" and so were isolationists and *preserved* (Gordon 1992).

was understood as the "last asylum of *vertreibenen Ureinwohner* [displaced Aborigines]," which mirrored Berlin Society for Anthropology, Ethnology, and Prehistory co-founder Felix von Luschan's own interest in reserve creation (Gordon 1992).

In the present, the San community's has been brought heavily into the fold of tourism. The German-[co]founded[49] and run[50] Ju/Hoansi Living Museums[51] in northern Namibia, for example, are a part of the Museum Associations of Namibia, and these living museums "portray 'traditional' versions of [the San] for tourists, maintaining a well-developed sense of on-stage/ off-stage and of self-identification" no matter the real economic benefit derived and cultural practices conserved[52] (Kratz and Gordon 2002). It is a display that captivates tourists' imaginations and activates scientific ideas about oldness and racial-cultural-civilizational identity as "the 'native' was identified with the body, and the 'native's' dance was imagined as 'frenzied movements by people lacking rationality" (Gordon 2012). Additionally, the Iziko South African

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[49] "The idea of living museums in Namibia existed already prior to the foundation of our non-profit organization. The Namibian tour guide Werner Pfeifer imported the concept from Germany, where he had worked in various living museums himself. He developed a suitable version for the rural areas of Namibia. This concept was first introduced to the Ju/'Hoansi-San from Grashoek in 2003 who designed their own museum within a year."
https://www.lcfn.info/info-center/history-of-the-lcfn

[50] The Living Culture Foundation Namibia identifies the board of directors as Sebastian Dürrschmidt, Kathrin Gebhardt, and Werner Pfeifer; the board of the German office is identified as Sebastian Dürrschmidt, Dr. Ralf Kühn, and Claudia Tülp.
https://www.lcfn.info/contact

[51] "A living museum is a settlement of a specific language group build in such way as it used to be built before the European colonial influence changed the traditional culture. The participants working at the living museums act out the great variety of their original culture. The actors wear traditional clothes reconstructed for the museum and offer activities representing the equivalent past to interested guests with the main focus on the highest possible degree of authenticity."
https://www.lcfn.info/concept/project-conception

[52] The articulated objectives of the Living Culture Foundation Namibia (LCFN) include "the protection of traditional culture in Namibia" especially with regards to communal areas; the "creation of a source of income in local communities" by "combin[ing] the protection or the regain of traditional culture with the fight against poverty"; and "the development of a cultural and intercultural educational institution" by "encourag[ing] a dialogue between Namibians and Non-Namibians as well as tolerant relations between the Namibian language groups."
https://www.lcfn.info/concept/objectives

Museum in Cape Town previously held hotly contested "Bushmen life-casts," a part of the structure of materialities that Katharina Schramm (2016) calls the "substances of indigeneity." Created by the museum's chief taxidermist James Drury between 1906 and 1924, the casts were removed in 2013 after two decades of debate because they were "reclassified as 'unethically acquired human remains'" (Schramm 2016) because trace amounts of biomatter — namely hair and skin cells — had become a part of the casts through the casting process and so they were considered the remains of a deceased person rather than mere representations. Newly understood as stolen remains and in justifying removal from the museum's showroom given South Africa's history[53], the life-casts "constituted intimate and material embodiments of the wider practices of racial anthropology and the violence associated with them — including coercion, objectification and desecration" (Schramm 2016) (Bank 1996; Morris 1996; Legassick and Rasool 2000; Skotnes 2012). The historical treatment and study of the San underscores a long-standing colonial association between indigeneity and the body, a Cartesian construct distinguishing the civilized European from the primitive African. Emphasized by its placement in this natural history museum diorama, the reproduction of the indigenous San person was a taxidermic representation of the imperial positioning of the African as adjacent to animal (Jackson 2020). But the discovery of human biomatter and reclassification of the reproduction was also a taxonomical reappraisal of the so-called "Bushman" (the application of natural science taxonomies to human difference led to the co-evolution of "race" and "species") and the San people's institutionally recognized humanity. While "the notion of the native belongs to

[53] "South Africa" here refers not only to the present Republic of South Africa, but to the period from 1915-1990 when South West Africa, the former German colony, was under South African administration to indicate commonality and shared logics in the anthropological work and racist study of the San.

animality" (Mbembe 2001), the presence of human genetic material poses a question about the boundary between mere reproduction and the dead person used to produce the cast — this new classification is a kind of animation from a cast to remains that could ostensibly be genetically identified, then recognized and claimed by the community to whom they belong (Schramm 2020). This categorical evolution from non-living to once having lived underscores Zakiyyah Iman Jackson's (2020) idea that human and animal do not exist in opposition to one another: rather, it is a plasticization of humanity that produces what she describes as a "bestialized humanization," in which the Black [indigenous] being is "sub/super/human at once" and mere recognition as human is insufficient to contest.

San ancestry and the eugenic body politic

In describing German racial classifications, *The Blue Book* identifies "the Ovambos, the Hereros, the Hottentots, the Berg-Damaras, the Bushmen, and the Bastards" as the six races of natives, and the total native population "at approximately 250,000 to 275,000" (Gewald and Silvester 2003). A clear colonial hierarchy is established with the Berg-Damara and so-called Bushmen described in the report as "subordinate races," and there is further hierarchization of the subdivision of the San into Heikom and Kung peoples: the former of were "less wild" and "more amenable to control and civilization" whereas the Kung were understood as "pure bred yellow-skinned pigmies, and are in every respect typical wild bushmen of the most primitive type known" (Gewald and Silvester 2003). The "dusky yellow-skinned" Nama (also described as "brown-skinned pygmies"), in contrast with the San, were claimed to be the "product of an intermingling of some now extinct and unknown light yellow-skinned nomad race with the

aboriginal Bushmen" with others arguing that "the Hottentot is an evolved and more progressive type of Bushman" (Gewald and Silvester 2003). This was a view repeated by Sir Francis Galton, who had previously described the San as "impoverished" or "outcast" Khoi pastoralists in 1889 (Gordon 1992; Steinmetz 2007). The San seem to be understood as unassimilable and uncivilized in a way that the targeted Nama and the Ovaherero simply were not. Where the Ovaherero and Nama could be subjugated simply through the destruction of their social structures and internment of the population, Austrian anthropologist Franz Seiner proposed that San men ought to be deported to the coast and women and children should be placed onto farms where the children could be properly re-socialized and better assimilated into servitude (Gordon 1992, 1998).

There was no conception of the San existing in the present as rational autonomous beings, they were rather fixed into a distant evolutionary past: in a transnational comparison, archeologist John Lubbock (who coined epochal the descriptors "Paleolithic" and "Neolithic") wrote in 1913 that "[aboriginal] Australians, Bushmen, and Fuegians[54] lived when first observed almost exactly as they do now" (Gordon 1992). Germans were preoccupied with how they perceived the San as inhabiting a lower, and so inferior, evolutionary position — their genitals were allegedly illustrative of this. Just as the so-called "Hottentot Venus" was presented as an anthropological marvel for European society because of her protruding buttocks' physiognomic representation of African womanhood, the San's *penis rectus* — a condition in which "the human penis which maintains an almost horizontal position in its flaccid state," which has "so far only

[54] "Fuegians" refers to the indigenous inhabitants of Tierra del Fuego.

been observed amongst the Bushmen in southern Africa" (Loofs-Wissowa 1994[55]) — was of particular intrigue to European colonial society because of genital physiognomy reflected the medicalization of sexual morality (Gordon 1998). There is a recurring motif of Black genitalia — particularly the Black penis — in white/colonial [psycho]politics because of the existential threat (the representational threat of violence against white masculinity and its ability to sexually violate and impregnate white women) that the masculinized Black body bearing it presents to whiteness (Fanon 1952; Shefer and Ratele 2011). It potentially defiles whiteness' sexual purity, but it also disrupts the forward-moving cultural and biophysiological white-constructed trajectory of human evolution such that blackness takes on a sub-humanity or animality (Boisseron 2018). As "figures of monstrosity," the San's less evolved bodies became a foil by which the *modern* fully evolved German could configured itself: they were the colonized/ subjugable "peoples of nature" to the civilized European "peoples of culture" (Zimmerman 2001; Sharpe 2010; Ciarlo 2011).

To the whites who encountered them, the San overwhelmingly represented a "primordial" civilization or personhood. In the anthropological and anthropometric images photographs taken of the San, both field and studio portraits sought to emphasize "physical and racial differentiations" (Barbash 2016). Gustav Fritsch, a German anthropologist and member of the influential Berlin Society for Anthropology, Ethnology, and Prehistory, published his book *Die*

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[55] This citation is selected particularly to emphasize the enduring nature of interest and curiosity of this physiological feature and the racist characterizations accompanying it. In contrasting this anatomical anomaly with Paleolithic cave art in Europe, Loofs-Wissowa goes on to write that "certain humanlike figures, with indications of much body hair and with an upturned nose, exhibit what seems to be a *penis rectus* rather than an ordinary penis in erection." Because these humanlike figures were "most likely Neanderthals portrayed by early modern man (*Homo sapiens*)" who were confused or astounded by those differences, the conclusion drawn, then, is the *penis rectus* as a paleontological marker and some kind of evolutionary-physiological relationship between the San and *Homo neanderthalensis*.

Eingeborenen Sud-Afrikas: Ethnographisch und anatomisch beschrieben (*The Natives of South Africa: Ethnographically and Anatomically Described)* in 1872. Considered the first systematic ethnography of indigenous peoples of the region, Fritsch was particular in publishing images of his subjects that posed them in the nude or in traditional clothing to emphasize the purity of indigenous "racial types" and de-emphasize cultural hybridizes that had occurred. Images were arranged hierarchically rather than chronologically or geographically; the so-called "Bushmen" were placed at the very bottom (Barbash 2016). There were many similarly constructed photographic projects, including ones by German linguist Wilhelm Bleek and Irish-South African photographer Alfred Martin Duggan-Cronin who extensively photographed and published primitivizing images of the San, including *The Bantu Tribes of South Africa* in 1928 and *The Bushman Tribes of Southern Africa* in 1942 (Godby 2010). Because of this colonial perception of their primitivity, they were often cast as "yesterday's 'missing evolutionary link'" and "today's 'Edenic origin of humankind'" as a part of a larger metaphor that "imagin[es] the geographical space called South Africa as 'the cradle of humankind'" (Erasmus 2013). Their genitalia were seen as proof of concept: as "clinching their intercalary role between humans and animals" (Gordon 1998). And because of the observed physiological similarities between the Nama and the San (including "insignificant" craniometric differences), genitals became the primary means of distinguishing between the two: the aforementioned Seiner claimed that penile positions represented the difference between purity and ethno-racial admixture (i.e. that the San were "bastardized" or "degenerate" Nama) with stiffer erections signaling the "pure" San people (Gordon 1998; Steinmetz 2007). Germans were fascinated by the San's relatively hairless and small-statured bodies which were seen as "pedomorphic," and despite the men having penises

and being physiologically marked by maleness, they were nevertheless discursively constructed as having effeminate and "unmanly softness and delicacy" (Gordon 1998). Their physicality was reflective of their psychic and cultural condition, and their primitive lifestyles allegedly reflected the absence of "European masculine values of moderation, honor, and self-control" (Gordon 1998). They were constantly characterized as "living in filth and dirt," and they described using the familiar derogative German descriptor "*arbeitscheu*" ("work shy"). As a descriptor that racialized social behaviors, it linked questions of social assimilability[56], capitalist notions of economic productivity, and social usefulness with racial anthropological assessments of San cleanliness and criminological (i.e. eugenic) assessments of the quality of San sociality (including their non-sedentary lifestyles) and aptitude for organization and life beyond forced labor (Gordon 1998; Trubeta 2003; Varsa 2007; Rafter 2008; Braun 2018). Eugen Fischer's own interest, including his unfulfilled request for genitals, is a critical affirmation of the continuity thesis. His connection of imperial and Nazi scientific regimes is also the connection of the San, as well as the Ovaherero and Nama, with other peoples similarly subject to genocidal extermination just years later, including the marked-as-"asocial"[57] Roma and Sinti peoples.

These biologically essentialist and naturalized ideas demarcating communities into discrete and unique populations (including the nation-state) emerged out of 19th century ideas

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[56] Jews were not primarily classified as "asocial" in the same way as Roma and Sinti people. Similarly to the opinion held by prominent Prussian biblical scholar Johann David Michaelis, there were racialized ideas of them as physically weaker Oriental peoples from warmer climates who did not "have the proper bodily stature to perform military service for a German state." But because they could conceivably tolerate heat better than Germans could because of their origin, they were particularly "suited to work on sugar plantations in the 'unhealthy' climate of the West Indies (Hess 2000, 86).

[57] Individuals detained for being "asocial" are also described as the "forgotten victims" because they have largely been excluded from post-war reparations, meaning the state of Germany has not distanced itself from the capitalistic logics that enacted "state violence against people on the grounds that they were being deemed work-shy, useless, homeless or other- wise maladjusted to norms and standards of productivity and economic usefulness" (Braun 2018, 109).

about “lineage, origins, and evolution central to life sciences” (Erasmus 2013), which was a framework that made race a product of roots and hereditary lineage. This biologization of group membership complements Foucault’s conception of the word “population,” which evolved from earlier notions of citizen-subjects afforded with rights to “a juridical-political conception of collections of subjects” organized into homogeneous naturalized units, i.e. a reformulation that transforms collections of people into geneticized groupings of “gene pools” (Haraway 2008). Yet, critically, Foucault fails to properly account for the centrality of colonization and racialization in the genealogy of Man (i.e. he fails to connect colonial racial production in the colonial elsewhere to the violence within and by the modern European state in his positioning of Nazi genocide as the ultimate biopolitical expression), just as many accounts of genetically discrete populations fail to account for ways that ancestral lineage and genomic identity are mapped onto common conceptualizations of racial and ethnic identity (Mbembe 2003; Weheliye 2014). In settler colonial/apartheid contexts, as in German South West Africa, populations were reflective of colonially-imposed racial as ethnic/“tribal” categories, which subsequently became “bounded units amenable to scientific sampling, analysis, and classification, and central to contemporary notions of race.” This was, of course, due to the investments in global racial-cultural taxonomies and geographical representative “parental populations” and overarching racial types despite the inaccuracy of these categories and intra-group heterogeneity (Braun and Hammonds 2008).

Colonial scientific attempts to discretely identify and age cultural/civilizational populations across geographies has been an attempt to define group membership and group interaction/relation in order to piece together histories of origin and migration. With the advent

of genetic and genomic science, much interest has been paid to indigenous DNA, in no small part because of how it foundationalizes nation-state identity and the timescales of human genealogy. Within the new field of molecular anthropology (anthropological genetics) and with regards to peoples indigenous to the Americas, higher frequencies of differentially observable genetic markers in mitochondrial (mtDNA) and chromosomal DNA — these "so-called Native American markers" — were found in "'unadmixed native populations in North and South America." These markers denote "the genetic inheritance of 'founder populations," i.e. the original peoples of what are now called the Americas (Tallbear 2013[b]). There is an enduring curiosity in the study of populations and relations between groups because of the insight that it potentially yields about human origins, evolutions, and behaviors. But it's critical to note the dialectical reality of indigenous DNA. Kim Tallbear (2013[b]) writes that the concept of Native American DNA "could not have emerged as n object of scientific research and genealogical desire until individuals and groups emerged as 'Native American' in the course of colonial history." If not for the desire to use science as a tool justifying and naturalizing colonial conquest and domination, there could have been group recognition and definition beyond the binary of "settler" and "native."

Problems inevitably arise when understandings of indigenous geographies are defined and bounded by modern states: as people indigenous to southern Africa, the territories of the San span South Africa (where the largest population resides), Namibia, Angola, Zimbabwe, and Botswana. Indigenous relation to nation-states is defined by exclusion, dispossession, and forcible assimilation which is often unaccounted for in these genetic studies. While genetic material certainly does hold useful information about the structuring and biological function of a given organism (human and non-human alike), there is a reductionist desire to attribute and

predetermine all aspects and qualities of life to genetic determinations, which can be described as the "Central Fallacy of Molecular Anthropology" (Marks 2001). Genetics, via eugenic discourses, have become a central part of race-making, as it is an "insistence on unidirectional causality" (Keller 1995): it asserts a close relationship between population clusters (extrapolated into phenotypes and associated social-cultural behaviors) and "sharply-defined regional and continental boundaries" (Wills 2017), which is an essentialization of the nation-state and the hierarchization of associated genetic/ethnic identities within. Indigenous genetic material is imbued with political mythologies about the nation-state because it is duly understood as a "social-historical fabric to (re)constitute the categories and narratives by which we order life" (Tallbear 2013[b]). The deliberate denial of agency in indigenous identity-making, then, drives a uni-directional construction of San identity that is completely removed from lived experiences and community genealogies: identity is affixed to national recognition and scientific meaning-making, both of which have historically excluded, maligned, and expropriated San peoples.

With the completion of the Human Genome Project's full mapping of the human genome in 2000, there was a broad scientific sense that race cannot be biologized. As announced by then-President Bill Clinton: "One of the great truths to emerge from this triumphant expedition inside the human genome that is in genetic terms, all human beings, regardless of race, are more than 99.9 percent the same." But this optimistic declaration was produced by the same naïveté on the part of the president and the "race-neutral" and "colorblind" scientists who sought to usher in this post-racial scientific epoch, because we have always seen that "concepts of race have typically coevolved with new avenues in scientific innovation and expansion" (Bliss 2012). This

new golden age of genomic science did not undermine or displace previous centuries of eugenic and otherwise racialist science, it simply offered a new set of tools with which to make race a biological reality. Although much of the power of formally asserting genetic identity has been seized from indigenous communities, other forms of genetic meaning-making — some which empower people to make their own claims to indigeneity — have emerged with the proliferation of new genetic technologies, both specifically health-related (e.g. testing for hereditary illness) and for popular use. If we consider the relatively new emergent field of direct-to-consumer genetic testing, we can assess the diversity of social motivations with which an individual consumer (or even scientist) might be interested in pursuing such knowledge in this postgenomic moment, one that has yielded an evolutionary shift beyond previous notions of a singular causal relationship between gene and [phenotypic] expression. A "family-tree researcher," for example, may seek to identify their family lineages and make some kind of reconciliatory gesture towards a past, as is the case with African-American descendants of enslaved people whose genealogies were both truncated and shaped by the transatlantic slave trade. Genetic ancestry is the means by which people might perform spiritual reckonings with continental ancestors, attempt "repair ruptures caused by fractious social and political struggles or efforts to (re)unite communities" (Nelson 2016) or even make a legal claim for restitution as the ancestors of enslaved people; they offer opportunity for novel political claims to be made (Nelson 2018; Panofsky 2018). Others use the tests to prove biological links to communities for more explicit politic and economic reasons, such as people seeking evidence of Native American ancestry so they might derive benefits from affirmative action admissions processes or other contexts where it might be advantageous to self-identify as an ethnic minority (Tallbear 2013[b]). Many companies

market tests particularly for this reason, and consumers are able to learn what present nation-state (and sometimes even what ethnic group) their DNA matches or comes closest to (Greely 2008). This present ascription of ethno-genetic identity to a nation-state is fraught because the colonial formation of borders artificially clustered and/or separated indigenous and non-indigenous groups thereby newly destabilizing previously existing territorial claims, never mind that many states did not exist at the supposed time of genetic linkage. One of the most dramatic examples of this process is the apartheid construction of so-called "Bantustans," the National Party's creation of ethnically homogenous and allegedly politically self-governing "homelands" for native South Africans which accompanied the expropriation of land by the white majority. While the San were not afforded a designated homeland in South Africa, the Odendaal Commission — the process that would similarly apportion South West Africa into self-governing native territories — created Bushmenland for the San. But as with Ovahereroland, Tswanaland, and Kaokoland (territory for the Himba people), Bushmenland neither had a legislative council nor was it ever self-governing.

Through commercial endeavors like Ancestry.com and 23andMe, these scientific biologizations of race have been popularized and solidified within lay and pop scientific understandings of identity: there remains an idea that "Blackness," for example, has biologically unique markers that can be genetically identified despite companies' insistence that they are not making biological claims about race (Whitmarsh 2009). One difficulty in genetic ancestral claims is genetic admixture, the mixing of otherwise *discrete* and separate populations. 23andMe's website claims to overcome this issue with their "Ancestry Composition algorithm" that breaks up each chromosome into "short adjacent windows" that are "are small enough that it

is generally safe to assume that you inherited all the DNA in any given window from a single ancestor many generations back" (23andMe 2020). But this tactic of piecemeal association is questionable not only because of algorithmic inconsistency, but because these genetic estimations are that link broad definitions of "ancestral populations" with biogeographical designations that turn nationalities and ethnicities (and presumed corresponding phenotypes) into proxies for racial identity (Via, Ziv, and Burchard 2009; Blell and Hunter 2019). Because of the number of different ways of defining and describing identity — whether it's "'self-reported ancestry,' 'genetic ancestry,'… 'self-reported population ancestry,' [or] 'genetically inferred ancestry'" (Rosenberg et al. 2002) or "biogeographical (i.e., African vs. Asian); geographical (i.e., south-east Asian vs. northern European); geopolitical (i.e., Cambodian vs. Swedish); and cultural (i.e., Jewish vs. Berber)" (Via, Ziv, and Burchard 2009) in lieu of an over-reliance on using "race" or "ethnicity" in biomedical research — it is not always clear which determination is prioritized if and when they conflict with one another because there is no single deployable definition upon which clinicians, biomedical practitioners, social scientists, or even community members have agreed (Blell and Hunter 2019). This genetic technology supplements the anti-Blackness that lies at the root of American racial structures.

In, for example, a particular marketing to Afro-diasporans (e.g. Rick Kittles' African Ancestry, Inc.), it could be said that there is an economic capitalization off of Black loss and intergenerational trauma in the questionably accurate biosocial process of genetic ancestry testing and the confident assertion of African identity (and, thus, an indigeneity). In highlighting how Alex Haley's tracing of his ancestral lineage inspired a generation of Black Americans to do the same, Alondra Nelson (2016) glosses over critiques of his veracity and historical accuracy

and focuses instead on the affective and trauma-driven sociality to the all but complete exclusion of African people. But the questionable and inconsistent cross-company algorithms highlight both the lack of precision and the reinforcement of ruling ideologies about race and biology within lay discourses, both of which—to non-scientists—are minimally important compared to the individual-social utility and cultural impact of the technology. Following Spivak (1988) and her description of one process by which marginalized people grow a sense of "self-determination and an unalienated self-consciousness," the results of these tests and the story it offers — i.e. a majority of West or Central African origin and the potential existence of a small percentage of European identity owed to the prevalence of rape of enslaved Black women by their masters — the use of these genetic ancestry tests are an example of strategic essentialism, a unifying ethnic narrativization and collectivizing self-consciousness. The genetic ancestry test is a means of "subject-restoration" that rebuts African-American disconnection from the continent and so an indigenous placelessness (with regards to origin beyond the United States): it is a tool of African-American subaltern historiography, a popular scientific assertion of indigenous pasthood, colonial violence, and the urgent need for reconciliation (Spivak 1988).

Situated somewhere in between the African-Americans that are largely unaware of their precise continental ancestry and continental African peoples whose indigenous lineages can be more precisely traced is myself, the daughter of two immigrants that could conceivably be describe as indigenous to Zimbabwe. In looking at the results of my older brother's 23andMe test[58], the gaps in the algorithm and the technological logics of direct-to-consumer tests more generally become particularly apparent through the errors in ethnic-national identification. The

[58] Although my brother and I share both parents, our DNA will not be identical. It will, however, be similar enough that I can still make a critical autobiographical analysis using his results.

test correctly identified my brother as 100% "Sub-Saharan African," divided further between 99.5% "Congolese and Southern East African" and 0.5% "West African." Within the first subdivision, it identified him as being 74% "Angolan & Congolese" and 23.1% "Southern East African," and 2.4% "Broadly Congolese & Southern Eastern African." These are the results that are offered at the 50% confidence level, which is described as "speculative." At a 90% confidence level, which is marked as "conservative" his results indicate he is 99.6% "Sub-Saharan African," 7.0% "Broadly Sub-Saharan African," and 0.4% "Unassigned." Here, he is 92.6% "Congolese & Southern East African, which breaks down into 37.1% "Angolan and Congolese," 7.2% "Southern East African," and 48.3% "Broadly Congolese & Southern East African."

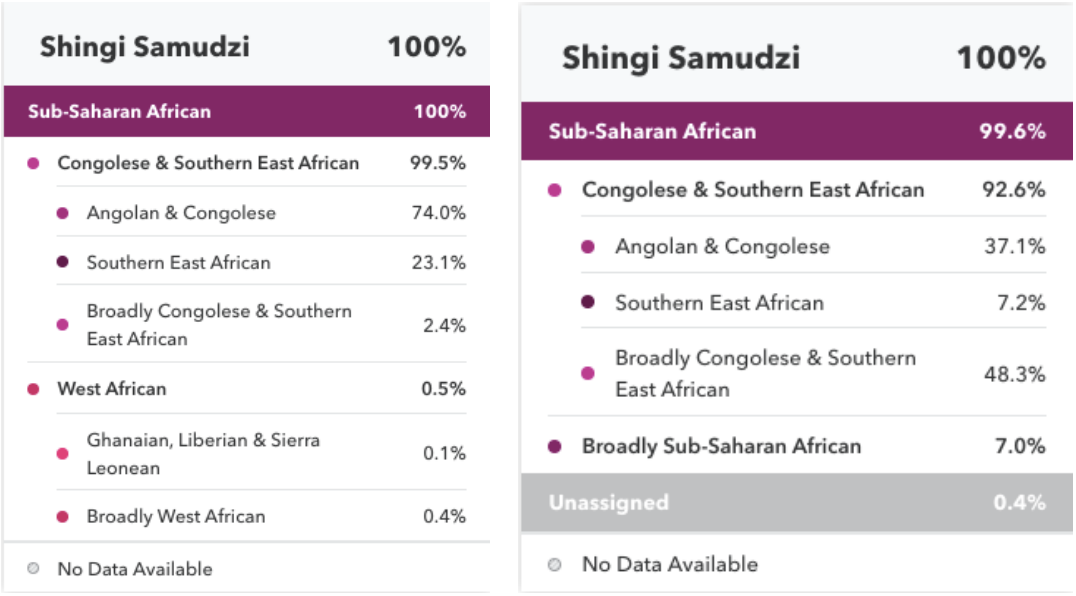

Figure 3.1: Comparison of 23andMe ancestry results at a 50% speculative confidence level on the left and a 90% conservative confidence level on the right

The company's algorithm relies both on the geographical identification of ancestry as well as "reference individuals used to define each ancestry population" (23andMe 2020). According to the website, these reference datasets are comprised of publicly accessible datasets including the International HapMap Project, the Human Genome Diversity Project, and the 1000 Genomes Project[59], in addition to "individuals from private 23andMe data collections and a large number of 23andMe customers who have consented to participate in research" (23andMe 2020). There are a total of "11,774 research-consented customers and 2,663 non-customers" — for a grand total of 14,437 individuals — in these reference datasets. The global geographic (i.e. roughly continental) breakdown of the forty-five different population groups is 1,991 "Sub-Saharan African," 1,612 "Central & South Asian," 2,245 "East Asian & Native American," 6,350 "European," 29 "Melanesian," and 2,210 "Western Asian & North African." It is particularly notable that there are three times as many European than Sub-Saharan African referents, despite European population being just over 741 million compared to Sub-Saharan Africa's 1.1 billion. The sampling bias[60], the under-sampling of non-European populations, is particularly evident here (Hong 2016).

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[59] The International HapMap Project is an internationally coordinated project that aimed to develop a haplotype map of the entire human genome in order to illustrate and analyze common variation — the final results were made public in 2010. The Human Genome Diversity Project, which is distinct from the Human Genome Project, was created in the 1990s and is a collection of biological samples from individuals and communities around the world with the intention of creating a representative database of human genetic diversity and variation. Found in 2008, the 1000 Genomes Project is another attempt to create a database cataloguing international genetic variation by sequencing the genomes of at least 1,000 participants worldwide; the pilot phase was also completed in 2010.

[60] "**Our reference datasets include genotypes from 14,437 people who were chosen generally to reflect populations that existed before transcontinental travel and migration were common (at least 500 years ago)**. However, because different parts of the world have their own unique demographic histories, some Ancestry Composition results may reflect ancestry from a much broader time window than the past 500 years" (bolding mine) (via https://www.23andme.com/ancestry-composition-guide/).

Figure 3.2: Image of 23andMe's mapping of ancestry populations

Population	Total
Sub-Saharan African	1991
Central & South Asian	1612
East Asian & Native American	2245
European	6350
Melanesian	29
Western Asian & North African	2210

Figure 3.3: A breakdown of reference populations by geographic region

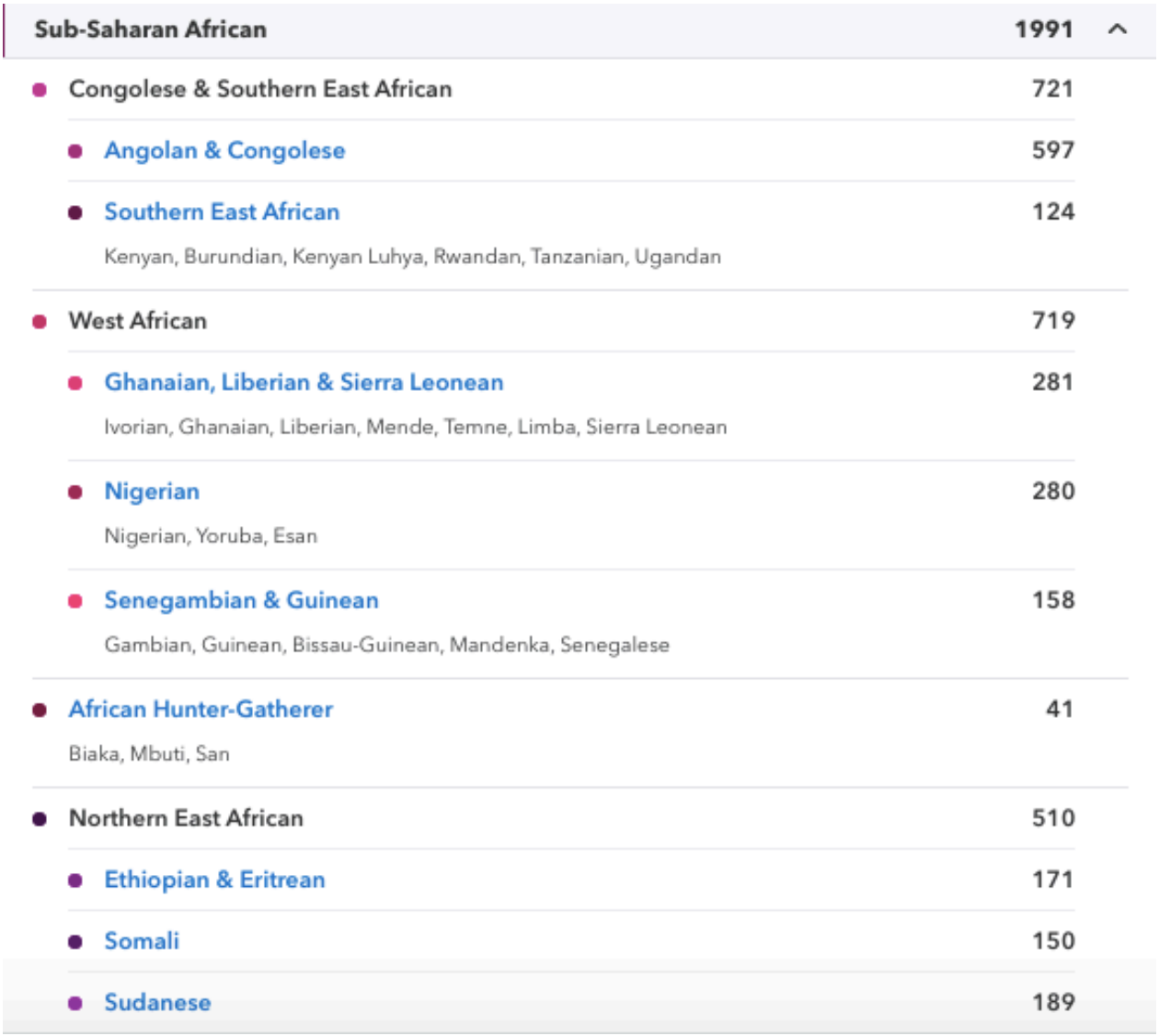

Figure 3.4: A further breakdown of 23andMe's sampling of reference individuals across the African continent

As a diasporic intermediary between the San who have mostly inhabited the same places for centuries (and are studied for this reason) and the many African-Americans who are unable to definitively confirm or reject their results because of transatlantic slavery's dislocation of their ancestry, the results of my brother's test point to some troublesome features in the algorithm. The first is the intra-continental sampling and representation of African people. Within the subset of "Congolese & Southern East African," there are 597 reference individuals for "Angolan & Congolese" and 124 for "Southern East African," the former of which makes sense when you consider the ethnic diversity of the Democratic Republic of Congo as home to over 200 different ethnic groups. But Southern Africa is almost completely neglected, and the ethnicities and nationalities representing "Southern East Africa" are Kenya, Kenyan Luhya (Kenya's second largest ethnic group), Rwandan, Tanzanian, and Ugandan, decidedly east as opposed to southeast Africa. Although the San (as well as the Biaka and Mbuti people, two pygmy peoples native to the Congo) are represented amongst the 41-person "African Hunter-Gatherer" reference group, the near entirety of southern Africa (with exception of Angola), including Zimbabwe, is absent. There appears to be a relationship between numerical proportions of continental populations that certain regions comprise (western Africa is the second most populous region on the continent after eastern Africa and Nigeria is the most populous country, thusly represented by 280 reference individuals) and the likelihood that a given Afro-diasporic person would be

representative of those populous regions that governs sampling logics[61]. The authoritative claims made about identity are, for many people, not verifiable because of this forced separation from their (if tracing the triangular transatlantic slave trade, west and central African) indigeneity. In the opposite direction, the indigenous communities that often comprise minority groups within the nation-states that bound their lands[62] have little voice in the sociopolitical narrativization of their identity and ancestry that is externally imposed and scientifically defined. Some people, however, have more social power and ability to contest this interplay between genetic science and social genealogies than others.

Direct-to-consumer genetic ancestry tests attempt to assert ethnicity-as-nationality with a kind of objectivity when identity is, in actuality, simultaneously biologically defined and negotiated. What direct-to-consumer ancestry testing — as well as the variability of results and the ancestral/identity certainties of consumers — lays bare is the subjectivity and instability of genetic-as-racial identity because of the absence of a singular governing logic apart from the logic of capital (and even racial capitalist logics shift the boundaries of racial identity throughout space and time). This is, perhaps, why appropriative and aspirational white claims to indigeneity (see: Roth and Ivemark 2018), Black investigations of transatlantic ancestry, and attempts to

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[61] Kittles' African Ancestry, otherwise known as the African Lineage Database, is said to contain "'over 30,000 indigenous African samples' from thirty countries and more than two hundred ethnic groups in Africa" (Nelson 2016). While this sounds impressive at face value, there are approximately 1 billion people in Africa, and a sample of 30,000 is only about 0.03% of the continent; 30 countries out of a total of 54 is representative of barely half of the continent; and 200 ethnic groups out of the approximately 3,000 on the continent is only about 7% of the total ethnic groups (there are approximately 250 ethnic groups in Nigeria alone). Given the Black American-centeredness of the project, there is a probable geographic oversampling of West Africa/the states from which the enslaved ancestors of many of the project's participants were likely to have originated.

[62] "Indigenous," here, attempts to capture these experiences of marginalization shared by the original inhabitants of the European-settled Americas whose identity is state-defined and quantified (i.e. measured through blood quantum) and minority indigenous African groups like the San that are fighting for sovereignty and recognition from nation-state governments dominated by members of indigenous groups who make up a majority of the population.

confirm one's racial purity as a white person could all be accomplished using the same set of technologies: because, regardless of the subject position and motivation, these popular ancestry tests stabilize our conception of race as essential and biological (Bolnick et al. 2007; Bliss 2013; Phelan et al. 2014). White nationalists, for example, believing in the superiority of genetics and scientific empiricisms, use these tests for the latter purpose. Some of these white nationalists inadvertently demonstrated the bidirectional sociality of science (i.e. that science is communicated to publics who, in assimilating those ideas into their existing worldviews, adopt or reject them) by contesting results that seem to undermine the racial claims they are attempting to make (Panofsky and Donovan 2017, 2019). In describing the reflexivity of genomic biosociality, Catherine Bliss (2008) is also reminding us that scientists are not materializing novel ideas about genomic classifications and the relationships between historical cultural practice and genetic adaptability. Because genetic discourses are iterative, historical ideas are being drawn on and either affirmed and expanded upon or rejected in favor of new (hypo)theses; the discursive framework about San identity was born out of a deeply colonial relation to their appearance and cultural practices and remains this way. Enclosed and commodified identities continue to be imposed upon them rather than reflexively negotiated or collaboratively produced as identity can be. Within the realm of genomics, far too little attention is paid to the subjectivity of the scientists themselves that self-situate within their own productions of genomic identity and produce new racial subject positions based on their own understandings of race as well as the dominant logics governing their research, whether made explicit or unnamed. Racialized biomedicine is not colorblind, but rather an exercise in reflexive biosociality wherein the personal experiences and subjective investments of scientists become part of the racial regime at

an expert level, which eventually trickles down into popular [scientific] discourses (Bliss 2011, 2012). Despite acknowledgements and assertions that race has no grounding in bioscience, many geneticists nevertheless take for granted long naturalized racial categories and conflate varied genetic findings with common understandings of "race" (as well as "ancestry" and "populations") (Duster 2003; Fullwiley 2007; Whitmarsh and Jones 2010; Williams 2011).

Genetic science, genomic sovereignty

In 2010, Stephan Schuster et al. published a paper in *Nature Magazine* called "Complete Khoisan and Bantu genes from southern Africa" in which they describe and analyze the results of the complete genome sequencing of "four indigenous Namibian hunter-gatherers" named !Gubi, G/aq'o, D#kgao, and !Aî (referred to as KB1, NB1, TK1, and MD8, respectively). These subjects were chosen "based on their linguistic group, geographical location and Y-chromosome haplogroup representation," the latter which refers to patrilineal genetic genealogy. The ABT Y chromosome haplogroup was "determined using both genotyping and sequencing data" (Schuster et al. 2010) from the study, and it reflects the Haplogroup A's heavy concentration amongst "Khoisan" populations in southern Africa. Haplogroup A is the macrohaplogroup from which all other modern haplogroups descend, which is the foundation of evolutionary and genetic interest in the San because "indigenous hunter-gatherers of Southern Africa" are "the oldest known lineage of *modern* human" (bolding mine) (Schuster et al. 2010) and so central to our understanding of human diversity. Famed South African anti-apartheid activist Archbishop Desmond Tutu (ABT) was also included as a genetic representation of Bantu people. An expressed goal of the project was to "generate a genome sequence that would provide sufficient

quality for…mapping against the human reference and then "to characterize the extent of whole-genome and exome diversity among the five men" with hopes that "observed genomic differences between the hunter-gatherer and others may help to pinpoint genetic adaptations to an agricultural lifestyle." One conclusion was that, with regards to nucleotide substitutions (the point mutation in genetic material where a nucleotide base is added, deleted, or altered), "the Bushmen seem to be, on average, more different from each other than, for example, a European and an Asian" (Schuster et al 2010). The paper also entertains some essentializing descriptions of "Bushmen-specific phenotypes" including pigmentation, a "taste receptor gene" which was "discussed in the context of human evolution from Neanderthal to present," genes related to and influencing hearing and "indulg[ence] in speculation that 'Bushmen have better hearing than Europeans,'" and the reinforced association of "hunter-gatherer" with low social status (Chennells and Steenkamp 2018).

The apparent revelation about the intra-group heterogeneity of the San decisively affirms one side of long-existing anthropological debates about their alleged isolation and communal insularity. This work is one empirical manifestation in a longer colonial genealogy of imaginings of the San, evolving from the "Great Bushman Debate"[63] (1906-1912) to the "Kalahari debate" and a part of a hierarchal global scientific episteme "in which [westerners] are the seekers and Africans the objects of projected desires" (Tamarkin 2014). It is a genealogy wherein apparently nonracial (i.e. colorblind) scientific technologies still reinforce racial categories as having some

[63] The so-called Great Bushman Debate "raged from 1906-1912 and featured the (upstart) geographer [Segfried] Passarge, who argued that Bushmen were integrated into a wider economy, and the prominent anthropologist [Gustave] Fritsch who felt that Bushmen were unique representatives of a former epoch" and so were isolationists and *preserved* (Gordon 1992). The subsequent "Kalahari debate," which has been ongoing since the 1980s, was a reiteration of previous debates about whether the San were traditionalists/isolationists or were integrationists (this is the "revisionist" camp).

biological reality by reanimating centuries of racist treatments and classifications in which "dead indigenous bodies became the central object of a seemingly detached scientific gaze that enabled scientists to contemplate a hierarchy of […] evolutionary relations" (Schramm 2016) (Fullwiley 2008). The apparently surprising conclusion that there is more genetic variation amongst San people than between "a European and an Asian" also serves to emphasize how popular race categories ultimately underscore how populations are understood and researched. Further, the surprise of intra-communal genetic variability places this work into the revisionist camp of this old debate about San sociality, rebutting the idea that the oldness of the indigenous group is somehow synonymous with a purity or the absence of genetic admixture. The historical discourses evoked by the study's deployment of "the oldest known lineage of modern human" as rhetorical device, as well as the desire to look for "genomic differences between hunter-gatherers and others [which] may help pinpoint genetic adaptations to an agricultural lifestyle" are manifestations of the constant desire to relegate the San community to a far pastness, one that inevitably informs interactions with and perceptions of the San as having agency in their participation with scientific research (Schuster et al. 2010).

This kind of genetic/genomic research is inevitably enmeshed within a Westphalian state system (as most socialities comes to be) and acts as a means of articulating one's/a group's positioning within a national project. Ancestry testing (commercial tests, genetic research projects, and otherwise), as well as the very idea of ancestry itself, functions as a "technolog[y] of belonging" whereby a collectivized self is enmeshed within a "unifying *and*

differentiating" (Benjamin 2009) a national body[64] comprised of other groups with common ancestry (Foucault 1988; Bauer 2014; M'charek, Schramm, and Skinner 2014; Foster 2016). Sharing an apartheid history with South Africa, it is arguably relevant to Namibian genealogical contexts when former South African President Thabo Mbeki, in his 1996 "I am an African" speech, attributes his existence to "the Khoi and San whose desolate souls haunt the great expanses of the beautiful Cape." It is a nostalgic homage to the land's original people that reinscribes tropes of their disappearance and relegation to a far pastness: a rhetorical resurrection of peoples to whom a future is completely foreclosed.

An initial critique of the globalization of these racializing technologies lies in the various ways that ethno-racial identity by way of genetic identity becomes territorialized and naturalized within the borders of the nation-state. Race, ethnicity, and nationality become deliberately and successfully conflated in a way that serves an essentializing western racial project, this includes the assimilation of minoritized communities into the national story, as with aforementioned genetic estimations of African-Americans (Benjamin 2009). Accompanying the widespread use of these genetic technologies is the west's increasing interests in the marketization of "ethnic" genetic identities for pharmaceutical products: "companies are hoping to tailor therapies ever more closely to the genetic profile of individuals or groups of consumers, [such that] identifying racial/ethnic correlations with disease is becoming big business" (Kahn 2004). Western pharmaceutical companies are increasingly reliant on these ethnic drug markets (which includes both non-white consumers in predominately white western states and non-white nation-states)

[64] In the spirit of the Rainbow Nation's mythos, it is no surprise that Archbishop Desmond Tutu was a part of 2010 San genomic mapping project, just as the South African Living History Project invoked that very analogy in describing the program's goal was to "provide a DNA map of the genetic heritage adding thereby another layer of information to our self-understanding of where we come from and who we are" (Foster 2016).

for the maintenance of the pharmacogenetic industry, and this reliance corresponds with the increasingly prevalent understanding of human tissue as profit-making biocapital (Etzkowitz 1998; Rajan 2006; Benjamin 2009). As markets in developing/emerging become increasingly large proportions of pharmaceutical sales, these same nation-states are increasingly incentivized to participate in these scientific collaborations, which, in turn, offer new opportunities for new modes of sovereignty and assertions of national identity (which, of course, serves the economic interests of those states' elites, especially where ethno-racial and caste-based stratification are concerned). Through a failure to be sufficiently critical of the positioning and centrality of nation-states in this global mapping project, "it is tempting for analysts to overlook the ways in which the geneticization of national populations impacts groups differently, enriching some and dispossessing others, solidifying and weakening group ties to the nation-state in unexpected, and potentially detrimental ways" (Benjamin 2009).

As a response to these commercial advances, the concept of "genomic sovereignty" emerged as a result of political dissatisfaction with the structure and organization of extractive global public health research; "it refers to a perceived need for protection of genomic resources of low-income countries against exploitation by entities based in wealthier countries" (de Vries and Pepper 2012) because genomic resources (a form of human biomatter) are symbolically and commercially valuable. The concept and the term itself were first framed by Mexican legislators who sought to ensure ownership over the genetic material over the genetic material of Mexican people in light of "possible piracy of human demonic resources by foreign entities, in connection with the growing realization that human genomic variation could hold scientific and commercial value (de Vries and Pepper 2012). Beyond the façade of biological protection, critical social

scientists recognize a tension inherent to the rhetorics of genomic sovereignty. Although the premise asserts a nationalistic self-determination that "attempt[s] to capture economic promise of the genomic diversity of populations living in the country" (de Vries and Pepper 2012), states are nevertheless dependent upon foreign capital and so they actively self-construct as biopolitical entities with genetically distinct national DNA, which in turn reifies nation-state boundaries (Benjamin 2009). In 2008, the Mexican state amended the General Health Law and made "the sampling of genetic material and its transport outside of Mexico without prior approval… illegal," which thus established a proprietary relationship by criminalizing "collection and utilization [of human genome data] in research without prior government approval" (Séguin et al. 2008; Benjamin 2009). Although the language of "sovereignty" might place these state actions into a shared frame with indigenous communities' sovereign claims that animate and justify their refusal to be party to state attempts to commodify social and genetic identity, they are not analogous because nation-states' are attempting to profit from the enclosure and commodification of biomatter. In the Mexican context, indigenous resistances to these projects can be understood as a response to *mestizaje*[65], the dominant socio-cultural discourse drawn upon by the Mexican Institute for Genomic Medicine for widespread support for the attempt to discover the genetic scripts for Mexican cultural hybridity — the state's unique (and commodifiable) genomic brand. This is a phenomenon Charis Thompson (2011) describes as

[65] The word *mestizaje* describes the racial and cultural mixedness of the population, which Latin American nation-states revised "from a fear of degeneration into a notable core of national identity." But this historio-cultural revision has enabled white and light-skinned economic and social elites to claim and appropriate identities and symbols of Black and indigenous communities while simultaneously preserving anti-Black and anti-indigenous structures, policies, and social dynamics. *Mestizaje* essentially functions akin to colorblind racism: it is the elites' praising and uplifting of a universal mixedness as a marker of national belonging while simultaneously "assert[ing] their legitimate role as paternalistic authorities vis-a-vis marginalized groups on the other" (Da Costa 2016)

"strategic naturalization," which, here, describes the ways that biological descriptions or explanations are either deployed or disavowed in order to define a population/community, as well as how genetic geographies naturalize scientific and national claims about population origin, kinship, and belonging (Fujimura and Rajagopalan 2011; Nash 2015; Clarke and Haraway 2018).

Mexico is an extremely populous and ethnically diverse country whose celebrated multiculturalism is rooted in indigeneity. Article 2 of the Mexican constitution states that the nation is "based originally on its indigenous peoples, described as descendants of those inhabiting the country before colonization and that preserve their own social, economic, cultural and political institutions, or some of them." Although the Constitution "recognizes and protects the indigenous peoples' right to self-determination and, consequently, the right to autonomy," it previously notes that "Indigenous people's right to self-determination shall be subjected to the Constitution in order to guarantee national unity" (Constitution of Mexico 2021). The celebrated unity in Mexican mixedness, then, is unsettled by indigeneity. In Mexico, there are over 65 different indigenous groups, and rebuttals of critics of the state-crafting genomic initiative were reflective of indigenous communities' long-existing struggles for recognition, rights, and sovereignty. Celebrations of mixture in *mestizaje* are not totally unlike desires for population whitening per *blanqueamiento*, which are necessarily achievable by the elimination of indigeneity and blackness through mixture (Da Costa 2016). Despite the centrality of indigeneity to the project of *mestizaje*, it is still necessarily excluded: it "is a feature of genomic national building whereby the dual process of inclusion and exclusion persists," because the native is a necessary part of the construction "of a new race and a new spirit, yet it is excluded from the

modern" (Lund 2006) — always observed and celebrated within relegated to a context of far pastness. Assertions of genomic sovereignty, then, demand an interrogation of the contextual nature of sovereignty itself. Because here, sovereignty over genetic material reinscribes the sovereignty of the nation-state, just as the Namibian Access to Biological and Genetic Resources and Associated Traditional Knowledge Act 2 of 2017 ultimately assimilates indigenous knowledge into a nation-state structure that bears ultimate power and discretion in ensuring the supposedly equitable distributions of benefits from the use and sale of indigenous materials, including biomatter). The nation-state is ultimately a super-sovereign entity whose own sovereignty is ultimately undermined by the sovereign claims asserted by indigenous communities — so the question would be whether states have interests in equally protecting the materials of all populations within a country.

The San speak

Following the publication of the 2010 genome sequencing project, there was a public forum in Windhoek in which the project's results were presented. Questioning the process through which informed consent had been obtained, one San community member asked "why had they bypassed community councils in the consent and sampling process?" (Benjamin 2011). Summarizing their methodology, the researchers stated in the article that the Institutional Review Board of Pennsylvania State University, the University of Limpopo Ethics Committee, and the Human Research Ethics Committee of the University of New South Wales had approved the study, that "the collection of human DNA in Namibia was conducted under a permit by the Ministry of Health and Social Services," and that "all participants consented either in writing

([Archbishop Desmond Tutu]) or via video-recorded verbal consent (Bushmen)" (Schuster et al. 2010). But consent is not simply about a participant saying yes: because of the implications this research has on all San people (and considering the long [colonial] history of exclusion and expropriation), it is necessary to engage San leadership and community decision-making structures and not simply random elder participants considering varying levels of formal education and conceptual comprehension (see: Schroeder 2009).

San leaders were frustrated with a number of things, including the descriptions used for the community like "hunter-gatherers," which is stigmatizing and engenders discrimination (Chennells and Steenkamp 2018). The population categories in the project are duly incomprehensible because the categories of ethnicity used are colonial categories that are not fully reflective of actual groupings. The paper describes the southern African "hunter-gatherers" as "Khoisan, San, or Bushmen" as though the words are synonyms and could reasonably be used interchangeably. "Khoisan"[66] is actually a compound word — a combination of Khoekhoen (formerly Khoikhoi) and San — coined by the aforementioned Leonhard Schulze in the 1920s and used to describe indigenous non-Bantu people in the region (Schlebush 2010). Among the subdivisions of Khoekhoe people are the Nama people of Namibia, as well as the Rehoboth Basters, Griqua and other coloured communities in South Africa, the latter of which are a core contingent of the Khoesan revivalist movement (Schramm 2016). "San" is a description of

[66] " Whilst the term "Khoisan" is often and increasingly used in the public domain as a unifying name for the two distinct groupings in Southern Africa, namely the Khoi, or KhoiKhoi and the San, or Bushmen, this umbrella term is of no relevance when discussing the San peoples. The Khoi or KhoiKhoi, previously known in South Africa as Hottentots, are regarded as pastoral, and of more recent descent" (Barnard 1992; Chennells and Schroeder 2018).

indigenous peoples whose territories are transnational[67]. In lieu of naming specific groups (e.g. ! Kung, Khwe, Tuu), then use of the exonymous designation "San" is appropriate. While many people from the community may self-describe as "Bushmen," it historically functions as a slur, pejoratively deployed to describe "uncivilized people." Lastly, "Bantu," used to describe Archbishop Desmond Tutu, a Xhosa-Tswana man "who represents Sotho-Tswana and Nguni speakers (from the broad Niger-Congo languages), the two largest southern African Bantu groups" (Schuster et al. 2010) according to the study. This is an invented word based on the Proto-Bantu word for "people," and was introduced by Wilhelm Bleek in the late 1850s and popularized by his 1862 book *Comparative Grammar*. "Bantu" is a designation that comprises hundreds of different ethnic groups and languages across the continent south of the Sahara Desert. And within the South African apartheid context (which includes Namibia from South African capture in 1915 to independence in 1990), "Bantu" became widely synonymous with an a replacement for "Native" in the 1920s; after the apartheid government began officially using the word to describe Black natives and pertinent policy (e.g. "bantustans" were the original names for the eleven rural reserve areas/homelands created for native self-governance), the Black nationalist movement turned to the use of "African" leading to the discrediting of "Bantu" as an ethnic and racial descriptor.

The failure of researchers in not contacting or seeking approval from respective San representative councils or leadership is twofold. The first issue is the matter of the contrasts between individual and collectivized consent whereby "indigenous, rural, and illiterate people do

[67] "Without claiming linguistic exactitude, the following are the most common major San languages currently spoken in the region. Botswana hosts Nharo, Gwi, G/anna and Khwe; Namibia hosts Ju/huasi, Hei//om, Kung, !Xun and Khwe; South Africa hosts !Khomani, !Xun and Khwe; Zimbabwe hosts Tyua" (Chennells and Schroeder 2018).

not [conceptualize] individuality and individual rights" (Chennels and Steenkamp 2018) in the same ways as those more fully assimilated into western regimes of selfhood and property. Secondly, because informed consent practices revolve around compelling participation in research under the positivist pretense that scientific research offers utilitarian good, it is unlikely that researchers would have attempted to communicate or successfully communicated the community-wide implications for the elders were to participate in genomic work. The unethical collection of biomatter and release of findings could reveal, for example, the discovery of hereditary illnesses or the releasing of personal health information or culturally taboo details about consanguinity (Fullwiley 2015). When the details of the informed consent processes were multiply requested by San leadership, the researchers refused to acknowledge any necessity in first consulting with them because none of the elders requested their representation. But to the leadership, whether council members or singular leaders like the late Andries Steenkamp, "many aspects of this research study were deeply problematic and would have been objected to if one of their organizations (e.g. [the Working Group of Indigenous Minorities in Southern Africa

(WIMSA)][68], the South African San Council[69], or the South African San Institute[70]) had been given an opportunity to consider the research before it began or to approve the final form of the document prior to publication" (Chennells and Steenkamp 2018). In a letter to *Nature*, Mathambo Ngakaeaja, coordinator of the Botswana chapter of WIMSA, wrote:

> "We were truly shocked when the article was published. None of the official San structures in Namibia had been approached in the customary and expected manner. The Namibian San Council has representatives of all the language groups, and such a project was clearly far too complex to be explained to simple rural San, particularly 'tribal elders' in the words of the article, who were unlikely to have any form of education whatsoever. I can only conclude that no effort was made to contact community leaders in the haste or alternative secrecy that drove the researchers" (Chennells 2014).

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[68] WIMSA was founded in 1996 with the expressed organizational objective of protecting the rights of all San people in southern Africa. In 1998, the organization drafted the San's first Media and Research Contract, which aimed to manage "researchers, film-makers, authors and others who entered San territory with a desire to gather information." The contract was a crucial stepping stone in the developing of the code of research ethics (Chennells and Schroeder 2018).

[69] San councils in South Africa had existed informally since 1996 via the representation of South African San communities (!Khomani, Khwe, and !Xun communities) on WIMSA's board; Namibian and Batswana San were also represented. In the wake of a now largely-defunct WIMSA, the South African San Council "was first constitutionally formed as a separate legal body because of the need to negotiate formally as an institution with the South African Council for Scientific and Industrial Research (CSIR) in relation to the San's traditional knowledge rights to the Hoodia plant." It also sought to engage institutional needs and concerns around land claims and territorial recognition from the new Nelson Mandela-led majority government, benefits sharing agreements regarding protections of traditional knowledge and medicinal plants, and a desire to protect communities from exploitative research and cultural extinction (Chennells and Schroeder 2018).

[70] The South African San Institute (SASI) was founded in 1996, and was initially created as a service organization supporting the !Khomani San with a land claim in the Kalahari Desert (which was successfully completed in 1999). The organization also supported the needs of the !Xun and Khwe San, who were displaced and relocated from Namibia to an area Kimberly, South Africa following the conclusion of the Namibian independence struggle. SASI was also instrumental in the creation of the code of ethics, as well as "benefit sharing cases involving medicinal plants such as Hoodia, Sceletium, Buchu and Rooibos" (Chennells and Schroeder 2018).

RESPECT

We require respect, not only for individuals but also for the community.

We require respect for our culture, which also includes our history. We have certain sensitivities that are not known by others. Respect is shown when we can input into all research endeavours at all stages so that we can explain these sensitivities.

Respect for our culture includes respect for our relationship with the environment.

Respect for individuals requires the protection of our privacy at all times.

Respect requires that our contribution to research is acknowledged at all times.

Respect requires that promises made by researchers need to be met.

Respectful researchers engage with us in advance of carrying out research. There should be no assumption that San will automatically approve of any research projects that are brought to us.

We have encountered lack of respect in many instances in the past. In Genomics research, our leaders were avoided, and respect was not shown to them. Researchers took photographs of individuals in their homes, of breastfeeding mothers, or of underage children, whilst ignoring our social customs and norms. Bribes or other advantages were offered.

Failure by researchers to meet their promises to provide feedback is an example of disrespect which is encountered frequently.

HONESTY

We require honesty from all those who come to us with research proposals.

We require an open and clear exchange between the researchers and our leaders. The language must be clear, not academic. Complex issues must be carefully and correctly described, not simply assuming the San cannot understand. There must be a totally honest sharing of information.

Open exchange should not patronise the San. Open exchanges implies that an assessment was made of possible harms or problems for the San resulting from the research and that these possible harms are honestly communicated.

Prior informed consent can only be based on honesty in the communications, which needs to be carefully documented. Honesty also means absolute transparency in all aspects of the engagement, including the funding situation, the purpose of the research, and any changes that might occur during the process.

Honesty requires an open and continuous mode of communication between the San and researchers.

We have encountered lack of honesty in many instances in the past. Researchers have deviated from the stated purpose of research, failed to honour a promise to show the San the research prior to publication, and published a biased paper based upon leading questions given to young San trainees. This lack of honesty caused much damage among the public, and harmed the trust between the collaborating organisation and the San.

Another common lack of honesty is exaggerated claims of the researcher's lack of resources, and thus the researchers' inability to provide any benefits at all.

JUSTICE AND FAIRNESS

We require justice and fairness in research.

It is important that the San be meaningfully involved in the proposed studies, which includes learning about the benefits that the participants and the community might expect. These might be largely non-monetary but include co-research opportunities, sharing of skills and research capacity, and roles for translators and research assistants, to give some examples.

Any possible benefits should be discussed with the San, in order to ensure that these benefits do actually return to the community.

As part of justice and fairness the San will try to enforce compliance with any breach of the Code, including through the use of dispute resolution mechanisms.

In extreme cases the listing and publication of unethical researchers in a "black book" might be considered. An institution whose researchers fail to comply with the Code can be refused collaboration in future research. Hence, there will be "consequences" for researchers who fail to comply with the Code.

We have encountered lack of justice and fairness in many instances in the past. These include theft of San traditional knowledge by researchers. At the same time, many companies in South Africa and globally are benefitting from our traditional knowledge in sales of indigenous plant varieties without benefit sharing agreements, proving the need for further compliance measures to ensure fairness.

CARE

Research should be aligned to local needs and improve the lives of San. This means that the research process must be carried out with care for all involved, especially the San community.

The caring part of research must extend to the families of those involved, as well as to the social and physical environment.

Excellence in research is also required, in order for it to be positive and caring for the San. Research that is not up to a high standard might result in bad interactions, which will be lacking in care for the community.

Caring research needs to accept the San people as they are, and take note of the cultural and social requirements of this Code of Ethics.

We have encountered lack of care in many instances in the past. For instance, we were spoken down to, or confused with complicated scientific language, or treated as ignorant. Failing to ensure that something is left behind that improves the lives of the San also represents lack of care.

Figure 3.5: Part of the booklet communicating the central tenets of the San Code of Research Ethics

On March 2, 2017, the San community — as represented by the South African San Institute, which was born out of the activities of WIMSA and is in close collaboration with different San councils across southern Africa — published the San Code of Research Ethics (see Appendix I, Image 4), the first of its kind on the African continent. The expressed purpose of the code was to prevent "ethics dumping," or a double standard in research ethics and practice that treats certain vulnerable/marginalized communities with less care and consideration than others despite *technically* not violating ethical guidelines (e.g. IRB or other ethics committee guidelines). The code of ethics seeks to address the combined problems posed by the San's tremendous interest to researchers as a genetically unique population while also lacking the "means of discussing their problems with other leaders, of learning about their human rights, or of deliberating ways in which they might legitimately challenge the unwanted interventions from researchers and other outsiders such as media" (Chennells and Schroeder 2018) because of the long history of colonial genocide, and present/ongoing displacement, dispossession, and cultural extinction via forced assimilation.

We can broadly understand this assertion of desired relationship and nature of interaction with research[ers] as a part of the "revitalization of indigenous political subjectivities on a global scale" (Tallbear 2013[a])(Schramm 2016). This articulation of sovereignty is especially important because the concept of genomic sovereignty as deployed by nation-states revolves around and privileges the state as the arbiter of *all* genetic resources within the country while still failing to account for the particular evolutionary trajectories and histories of dispossession of indigenous communities. This is affirmed by a Tepehuanes community spokesperson at a blood sampling site in the state of Durango in Mexico stating: "We are not Mexicans. We are Tepehuanes, and

you are looking for the genome of the Tepehuanes!" This is a demonstration of indigenous refutation not only of scientific taxonomies (e.g. Mexican nationals vs. the specificities of ethnic groups) but an indigenous refusal to participate in a scientific project in which "social groupings do not calibrate with scientifically-produced groupings" (Benjamin 2009) reinforce already existing social, political, and biomedical inequalities. These incongruent and non-complementary sovereignties force a reconsideration of ethical priorities in conducting research: rather than perpetuating an ethical-epistemological model that prioritizes research agendas (i.e. the creation of a safe environment that nurtures participation), a valuing of informed *refusal* permits a more careful consideration of autonomy, sovereignty, and marginalized communities relationships' to historically exploitative biomedical science. Informed refusal is related to the concepts of "biodefection" (Benjamin 2016) and "bioethnic conscription" (Montoya 2007) which force examinations of constructed contours of biological citizenship and "offers a lens through which to critically examine the stigma and penalties that may result from opting out" (and so necessarily examine scientific positivism and the idea that scientific research and participation are inherent social goods) (Rapp 2000).

We can think of the creation of the San code of scientific ethics and conduct as a biodefection: a means of resisting forcibly biologized citizenship (via the feedback loop of colonial identity-making and the scientific discourses justifying/naturalizing conquest), a refusal that manifests as a resistance of further assimilation into a scientific regime within which they have little agency. If the formation of genetic ancestry is a biosocial process and the meaning of genomic identity is produced by social and political interactions, then it stands that San dictation of research practice or refusal to participate in research altogether must also serve to construct

genetic ancestral meaning (Tamarkin 2020). It is an opportunity for them to articulate a more beneficial and community-serving regime of science, to create "new, more equitable relationships between researchers, subjects, and the state," and to "extend bioethical parameters of [informed consent] into a broader social field concerned not only with *what is right*, but also with the political and social *rights* of those who engage technoscience as research subjects" (Benjamin 2016) (Tallbear 2013[a]; Tamarkin 2020). An emphasis on refusal is critically necessary because certain indigenous groups are "situated at the deadly intersection of medical abandonment and overexposure" (Benjamin 2016), or, per Alondra Nelson (2011), a "dialectic of neglect and surveillance" and a new technology through which blackness (by way of the novelty of and particular interest in San indigeneity) is surveilled (Brown 2015). Given the historical relationships between indigenous communities and biomedicine, skepticism and refusal is understandable and warranted, especially when you consider the conditions of the Namibian San, who among the poorest in the country and have especially struggled in getting their legal rights over their land and natural resources — including their own genetic information — recognized in this continuation of dispossession and resource expropriation from colonialism to the present. This includes the post-independence absorption of communal land to state property, which further enables land grabs from San communities by both the state and other larger and more powerful ethnic groups: German colonialism and then apartheid dismantled traditional structures of San communities, and today only three of the six San authorities — East and West Tsumkwe and the Hai//om — are formally recognized by the state despite multiple attempts for the the others' recognition (Vermeylen 2009). It is this simultaneous material indigenous disenfranchisement and biologization of citizenship (including a continuous rendering of the San

to pre-modernity and so pre-property rights-informed land tenure) that defines Westphalian statecrafting, even in post-colonial Africa.

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Epilogue

It is functionally impossible to learn about a genocide without coming to conclusions about the historicization of other genocides: neither geopolitics nor the inclinations to dominate are contained within the borders of a single atrocity. The intention behind scrutinizing the biomedical materiality of the Ovaherero and Nama genocide is to begin to grasp at its afterlife, which includes the present social-political conditions of survivor communities in Namibia as well as the genocide's relation to other instances of political violence.

In response to my first question about the trajectory of identity structures from German imperialism to Nazism, perhaps the most powerful site of continuity is in *Lebensraum*'s role spatializing race-based citizenship. It is a relationality of race, the co-construction and mutually reinforcement of imperial anti-blackness and European antisemitism (the peak of the racial antisemitic movement in the 1890s coincided with the acceleration of German settlement), that yields a metropole-colonizing *Lebensraum* after its materialization in the colony — what Césaire described as "*choc en return*" ("shock and return"), a boomeranging of exported colonial violence back to its source (Rothberg 2009; Bell 2018). Another is in so-called "Bastard studies." Analyzed as a transnational politic, this illustration of Eugen Fischer's anthropological work in German South West Africa and his founding leadership of the influential Kaiser Wilhelm Institute for Anthropology, Human Heredity, and Eugenics illuminates how imperial constructions of "purity" and "mixedness" inflected Wilhelmine and Weimar and, subsequently,

Nazi anti-miscegenation as a means of race-based population management (Davis 2012[71]). Fischer's conclusions about the Basters' racial otherness and unassimilability, permanent relegation to native status, and emphatic support for social-sexual segregation coincided with early 20th century German debates around religious intermarriage and "interbreeding," suggesting parallels in othering ideologies and political-scientific imaginaries between race-making in the colony and the enduring Jewish Question in Europe (Davis 2012). Through the coupling of early German evolutionary biological understandings of "ancestry" (the discursive precursor to population genetics) with racialized anthropological notions of "culture" and "civilization," the San were frozen in time and objectified for their proximity to primordial humanity, which mirrors contemporary scientific interests in sequencing their genomes. This is a governing linearity — a chronological *colonial scientia* imposed so as to assert a universalizing temporal authority — that functions within the same Eurocentric episteme of positivism: one that asserts scientific empiricism as necessarily being of utilitarian good, orienting research ethics and protocol towards assuring participants that research is safe to do (with the subtext that they *should* want to be a part of it) rather than engaging indigenous epistemes as legitimate and foregrounding indigenous self-conceptions and agentic participation in the research (Nanni 2012; Mignolo 2015). It is the same kind of positivism that privileges scientism, a metaphysical and ontological capturing of world that privileges a knowing of genocide defined by death tolls and other associated numerics.

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[71] This is a response to Davis' assertion that the continuity thesis "offers little or no perspective, however, on the actual practical interrelationship of the contemporaneous colonial and antisemitic movements of the Kaiserreich era. As a result, it fails to recognize the reciprocal dynamic at work between colonialism and antisemitism" (6). In his own address of Jews and Africans in the imperial imaginary, he fails to mention Eugen Fischer's research about the mixed-race Rehoboth Basters, which occurred concurrently with German debates on miscegenation both in the colonies and the metropole.

My second question attempted to contend with the disparities in recognitions of sovereignty between Germany and Ovaherero, Nama, and San survivor communities. The enduring capture of human remains and cultural materials in museum and other institutional archives illustrates connections between colonial-era dispossession (which we could feasibly argue is unjust) and that chronopolitical "regime of classification" as an "imperial taxonomy" that reinforces property rights by claiming and separating objects from their communities of origin and transmutes them into "embodiments of foreign classificatory categories" (Azoulay 2019; Hicks 2020). This theft of items cannot be uncoupled the larger non-recognition of indigenous land and cultural sovereignties and self-determination, which extends also to their individual-collective persons — their genetic and biological material, the delegitimization of their agency in the formations of scientific ethics and research design, and also in the very research questions themselves. This kind of disregard for indigenous Africans and Black people generally, particularly as victims of European colonization, extends also into the way that genocide is understood, presented, and publicly recognized. In response to Namibian demands for apology-acknowledgement, Germany's position has been that genocide was not formalized as a crime until after World War II and so that a crime that could be described as a genocide in the present simply was not in the early 20th century. Yet in 2016, the German parliament almost unanimously passed a resolution qualifying the Ottoman Turkish mass killings of Christian Armenians, Assyrians, and Greeks as "genocide" despite it occurring in 1915. This reveals not a hypocrisy, but an internal consistency in how the crime of genocide has been codified and understood.

What exactly does it mean to attempt to recognize a genocide? Is recognition the ultimate practice of empathy — of seeing the humanity of an oppressed and long-suffering people and responding in kind? In a world where our own subjectivity is defined by hierarchal relations — a defining of the self through othered "Others" — we are individually and collectively able to overcome the urgent self-fashioning of ourselves as dominant in order to truly feel what another feels. The actualization of empathy demands an equal capacity to humanize, and our performances of empathy through imagined embodiment denies the reality of a moral-material world defined and ordered by full humans and peoples from whom full humanity is foreclosed. It is really a legibility being produced here, a use of testimony via the model of recognition that produces a sufficiently innocent subject *deserving* of acknowledgement and maybe even restitution. This, ultimately, is an "empathy" that demands assimilation into a framework of sameness: one enabling relation through similarity (or hypothetical similarity) to some fully humanized self. It is a perverted *ubuntu*, a colonial seeing/locating/understanding of the self through others.

Recognition by the western episteme is positioned as a kind of universal recognition because westernness is exported *as* universal. The "human" emerges only through articulations and "enunciations" of humanness constructed and propagated by powerful ones able to project and impose their own selves onto a universally accepted notion of what is human (Mignolo 2015). To recognize is to acknowledge the validity, legitimacy, *legibility* of a thing; to bring it into a fold of experience and understanding so that it, too, can become universal (no matter the particular history, trajectory, or consequences of the event). Inherent to the politics of genocide recognition is some ushering into whiteness: the affirmation of genocide is, functionally, an

extension of and assimilation into humanity through a frame of uniqueness. The existent discourse of recognition as legibility—as making genocidal process clear enough to morally-ethically *grasp* and *enclose* — is antithetical to a Glissantian embrace of difference, which engenders solidarity in opacity as opposed to translation, transmutation, and ordering into hierarchy (Glissant 1997). To recognize a genocide is not to humanize in any altruistic sense, but to dictate that it is the goal of any indigenous community to become assimilated into the anthropocentric project of human as "Man" as opposed to attaining a recognition that further strengthens their own sovereign claims and/or produces whatever kind of restitution that begins to compensate for human and cultural loss through the process of genocide. The Ovaherero and Nama genocide's claim to uniqueness is in its firstness: historians largely agree that it is the first genocide of the 20th century through a time-bounded, evental definition of the crime. But even this uniqueness, its firstness is not sufficient to unsettle the foundational nature of indigenous African genocide on the continent, including the foundational-to-modernity transatlantic trafficking and trade in enslaved indigenous African peoples. How can a necessary death constitute an acute crisis of recognition? How does the commonplaceness of anti-Black violence ascend to the "special status as a negative sublime" held by genocide, the ultimate crime against *humanity*[72] via legal ontologies and linguistics around transgression that "form the upper

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[72] Following the Ottoman Turkish genocide of Armenians, Assyrians, and Greeks, international law could have prosecuted Ottoman leadership using the newly developed legal conception of crimes against humanity. The United States and Japan both objected to the prosecution on those grounds because "there is no fixed and universal standard of humanity." Although "war was and is by its very nature inhuman," the tribunal should "confine itself to the ascertainment of the facts and to their violation of the laws and customs of war." War, then, is differentiable from humanity because "laws and customs of war are a standard certain" while "laws and principles of humanity vary with the individual" and "should [be] exclude[d]…from consideration in a court of justice" (Commission on the Responsibility of the Authors of War and on Enforcement of Penalties 1919). See: Gary J. Bass' *Stay the Hand of Vengeance: The Politics of War Crimes Tribunals* (2000) for a surgical historical account of the collapse of the Constantinople war crimes trial, what he describes as the "Nuremberg that failed."

threshold of mass criminality" (Moses 2021) and defined genocide as anomalous and uniquely evil barbarism?

Useful to examine is the response to *We Charge Genocide: The Crime of Government Against the Negro People*, a petition written by the Civil Rights Congress and presented to the United Nations meeting in Paris at the end of 1951. In the petition, the authors and signatories "charge their own government with mass murder of its own nationals, with institutionalized oppression and persistent slaughter of Negro people in the Untied States on a basis of 'race,' a crime abhorred by mankind and prohibited by the conscience of the world" and indeed criminalized by the Genocide Convention. There are two main arguments for this charge of genocide. The first is "killing members of the group," a violation of Article II of the Genocide Convention. As evidence, they offer "killings by police, killings by incited gangs, killings at night by masked men, killings always on the basis of 'race,' [and] killings by the Ku Klux Klan" despite the universal citizenship that ought to have been constitutionally afforded. The second is an economic genocide, or per the Genocide Convention's language: "deliberately inflicting on the group conditions of life calculated to bring about its destruction in whole or in part." The petition outlines the creation and maintenance of conditions so egregious that the "American Negro is deprived, when compared with the remainder of the population of the United States, of eight years of life on the average." It describes how the violence of transatlantic slave trade and the indignity of the southern planation system begot exploitative sharecropping, and Jim Crow segregation across the country forced Black Americans into "city ghettos or their rural equivalents" and into "filthy, disease-bearing housing, and deprived by law of adequate medical care and education." These combined violences are made possible by the "emasculation of

democracy," the structural prevention of Black Americans from voting and organizing, and the "dividing [of] the whole American people, emasculating mass movements for democracy and securing the grip of predatory reaction on the federal, state, county and city governments" (Civil Rights Congress 1951).

The petition was both a foundational articulation of Black freedom movement's use of the then-new anti-genocide norm[73], and it also served as a useful example of the ontological and analytical limitations of this international definition of genocide (Solomon 2019). The petition, most crucially, utilized the criminalization of genocide — a crime targeting individuals and communities explicitly because of their group membership — as a means of contesting the maintenance of racial hierarchies: "accusations of genocide reprised a vocabulary designed to challenge the suppression and destruction of minority life," which of course presented the particular concern that "that an international law against genocide would challenge existing state and nonstate practices designed to maintain white supremacy" (Meiches 2019). The petition also had disconcerting (to the hegemonic powers that be, at least) international implications because it offered the possibility for the Genocide Convention to be applied to contest racial discriminations internationally, a frame articulated by the petition's "solemn warn[ing] that a nation which practices genocide against its own nationals may not long be deterred, it it has the power, from genocide elsewhere" (Civil Rights Congress 1951). The invoked Du Boisian "problem of the color line" was politicized in such a way that it "link[ed] the racial terror of the lynch mob directly to more organized campaigns of colonial warfare" (Meiches 2019), a critique

[73] Solomon (131) describes the anti-genocide norm as "an individual or organization's explicit or implicit expressions of opposition to the past, present, or future occurrence of genocide" where "implicit expressions consist of analogies between instances of violence or repression and canonical genocidal events, in particular the Nazi Holocaust."

of imperialism is conspicuously absent from the United Nations' 1948 Universal Declaration of Human Rights (Macharia 2019). Unsurprisingly, the petition was poorly received in the United States, but the most notable rejection of its legitimacy came from Lemkin himself.

In a 1953 letter to the editor of the *New York Times*, Lemkin re-emphasized the rarity and socio-political magnitude of genocide describing not only the tens of millions of lives lost in the 20th century, but also the gravity and necessity of the "serious mental harm" provisions of the Genocide Convention. Characterizing the petitioners as "opponents of the Genocide Convention" (rather than individuals seeking to broaden its scope beyond that which was originally intended), Lemkin questioned whether "one can be guilty of genocide when one frightens a Negro": he argued that "fear alone cannot be considered as serious mental harm" and the acts of lynching and other kinds of racial intimidation are not "directed against the [entire] Negro population of the country" (Lemkin 1953). Previously, in 1949, Lemkin corresponded with U.S. Representative Emanuel Celler who offered some considerations about potential obstacles for the United States' ratification of the convention, including whether a genocide charge "could be brought against a signatory country in the case of 'a mob for a lynching, say, in Mississippi?" Celler, a practicing lawyer prior to his political career answered his own question stating: "The answer is yes…That may involve the yielding of some sovereignty." In this same correspondence, Celler claimed that "lynchers do not seek to destroy a racial group" but rather, *simply*, "to intimidate the Blacks" (Elder 2009). In response to Lemkin's op-ed, Oakley C. Johnson, social activist and member of the Communist Party of America, wrote that Lemkin's characterization of "fright" is insufficient for describing actions intended to incite race hate against and terrorize an entire racial group and maintain the existence of anti-Black racial hierarchies (Elder 2009). Lemkin

(1953) concludes his remarks by writing that the conflation of genocide with the injustice of discrimination besmirches "the good name of some democratic societies which might be unjustly slandered for genocide."

We might understand Lemkin's trivializing response to the petition primarily through a vein of anti-blackness consistent with his writings about the Ovaherero and Nama genocide. While colonialism was foundational to his theorizations of genocide, his writings on African colonization contain substantial and even idea-undermining contradictions. About the genocidal violence against the Ovaherero, Lemkin attributed state cruelty to Germany's improper practice of colonial rule: the British system of "indirect rule," which allowed for indigenous cultural maintenance and complementary administration, would have been more suitable and humane. In line with other historiographic theses that emphasize exceptional German cruelty, his characterizations of the brutal suppressions of Ovaherero rebellions as a result of "Prussian militarism" actually overstates the function and efficiency of imperial German administration prior to the 1904 war (Schaller 2009). While he does not retroactively apply his neologism "genocide" to the context of Ovaherero suffering, his own description of the Herero Wars[74] would have undoubtedly fit his own criteria. Yet his analysis of the violence does not sufficiently hold European colonialism responsible for the production of genocide-making/justifying epistemes and practices. Further, he perpetuates the racist myth that they were committing "race suicide," a popular theory promoted by Willem Petrus Steenkamp who claimed the Ovaherero "could not reconcile themselves to the idea of subjection to Germany and thus loss of

[74] In his unpublished and uncompleted manuscript, Lemkin writes about the Herero: "After the rebellion and von Trotha's proclamation, the decimation of the Ovahereros by gunfire, hanging, starvation, forced labour and flogging was augmented by prostitution and the separation of families, which a consequent lowering of the birthrate" (Schaller 2009: 90).

independence." Lemkin believed (and wrote) that Ovaherero women used a particularly strong beer that "had a most weakening and exhausting effect on their productive powers" (Schaller 2009). Cold War-era McCarthyism was also a means of discrediting the petition's claims. Lemkin often discussed the "Russian practice of genocide" and how antisemitic propaganda under Stalin "matched the efforts of Streicher and Goebbels" (Weiss-Wendt 2009); he asserted that Paul Robeson and William L. Patterson, prominent African-American communist figures and signatories of the petition, were "falsely accusing the United States of genocide to divert UN attention from true genocidal crimes being committed against Soviet-dominated people" (Baltimore Afro-American 1951). Additionally, Lemkin's understanding of genocide crimes complemented the Nuremberg precedent set just a few years before: genocide was not to be understood as a long-existing structural phenomenon, but rather an acute flare of violence perpetrated by a prosecutable group of people.

As is evidenced by the *We Charge Genocide* petition, one of the most difficult standards of evidence in recognizing genocide is in the "prosecutorial burden of proving genocidal 'intent' regardless of the magnitude of evidence and human casualty," a major obstacle in bringing legal cases against western governments. Demonstrating proof of intention is one of what Dylan Rodríguez (2021) describes as the five "structuring concerns" of genocide along with "legal definition, juridical criminalization, presumption of a perpetrator/victim dyad, […] and clarification of the legal parameters of the UN's jurisdiction. The matrix of treatments of genocide as the "crime of crimes" and a field of genocide study foundationalized by Nazi exceptionalism has yielded an "ontological construction of universal rights" (Rodríguez 2021) that has facilitated a depoliticization of genocide by tethering it to the anomalous targeting of

groups for their identities and decoupling that targeting from the ordinary structures and functions of permanent security (Moses 2021. In considering the discursive trajectory and historical relation between the petition and the Ovaherero and Nama people's class action lawsuit against Germany is the rejection of "uniqueness" via an expressed internationalism of genocidal structure. This, of course, is a divergence from classical conceptions of genocide, which is narrowly frame and compartmentalize world-altering violences as deviant, anti-social, and relatively isolatable *criminal* acts committed by discretely identifiable people or groups of people" (Rodríguez 2021). Instead, both the petition and the lawsuit sought to describe how the transnationality/globality of violence (the petition linked internal colonization to militarism, and the Ovaherero and Nama articulate a relationship between imperial acquisitions, Eurocentric science, and the regime of property rights) establish a governmentality in which genocide is imbricated in the still-imperial order rather than exceptional practice and epistemic rupture. Both the petition and lawsuit had worrying implications that would expand far beyond the single guilty nation-state to which complaints were made. If the Ovaherero and Nama were to successfully argue their case, the judge would have ostensibly undermined the western regime of property rights in enabling a survivor community's claims of unlawful acquisition and ownership to nullify a state's right to sovereign immunity. And if the CRC's petition had gained significant political traction, genocide may be more commonly articulated as part of a *normative* necropolitical geopolitical ordering whose logics and material exchanges operate transnationally (which is also an undermining of the clearly defined victim/perpetrator binary).

When considering the illegibility of Black victimhood, charges of anti-Black genocide[75] in its existence and codification in international criminal law tends to under-consider three of the five critical components that Rodríguez identifies. Firstly, the the violences described as "genocidal" cannot be detached from anti-blackness as global "gendered, physiological violence, and (anti-)social domination," which is underscored by the preclusion of blackness from full humanity and the way that "European humanism needs blackness as a prop in order to erect whiteness" (Jackson 2020). Lemkin affirms this in his rebuttal to the petition where he says that claims of genocide (including what he describes as overstatements of serious bodily and mental harm) cannot simply be derived from descriptions of systematic discrimination (even if that discrimination is consistent with the acts of genocide described by the Genocide Convention) because/where evidence of genocidal intent is absent (Baltimore Afro-American 1951). Secondly, related to broader critiques of scientism and the colonial overreliance on enumeration, Rodríguez (2021) writes that the definition of genocide relies on the "methodological inadequacies of disciplinary social scientific empiricism and juridical calculation in accounting for the complex genealogies of violence." In another rebuttal offered against the Civil Rights Congress' charge, Lemkin claims that evidence that lynching and other racial violences are not directed against the entire Black population lies in the fact that this very population is "increasing in conditions of evident prosperity and progress," interpretable both as a shorthand for an increase in population and social-political standing (pointing to the passage of civil rights legislation (Baltimore Afro-American 1951). Pointing to population growth as a refutation of genocidal condition is part of an "ethnomathematical" logic of enumeration that constructs,

[75] This is a reference to genocides perpetrated against African/Afro-diasporic groups by western actors, and so would exclude the Rwandan genocide.

manages, and manipulates Black experience to discount and dismiss articulated experiences of racialized suffering (Urton 1997; Nelson 2015). Furthermore, Lemkin persistently refuses to recognize the criminality of a state committing *protracted* violations of human rights, which would fundamentally transform constructions of genocide of mass death as a *premature death*[76] produced by life-taking structural conditions (Gilmore 2007). Finally, Rodríguez (2021) notes that "'genocide' incompletely addresses the *generalized* condition of historical existence for peoples subjected to anti-Black, racial-colonial regimes of violence, displacement and disruption." This discursive absence is related to the fact that, despite its legal codification as the gravest (and so "rarest"), the named/constituent acts of genocide (criminalizable *as* genocide) as well as the kind of mass violence/acts of collective punishment are actually not particularly uncommon — genocide is used to obscure the *normal* processes of state securitization. Genocide's so-called rarity is a result of its depoliticization and decoupling from the mundane and acceptable discriminatory state practices and securitizations: implicit evaluation against the ur-genocide, the Nazi Holocaust, obscures the frequency with which communities are targeted for killing in *politically acceptable ways* (Moses 2021).

There is a double-bindedness to genocide recognition. Where acknowledgement of an ongoing genocidal process unfolds before a passive and spectatorial international community or where retrospective recognition is circumvented because of its political inconvenience and unsettling potential, inaction is tantamount to denial. But where our frame of recognition is the engulfment of an event-process and the people who endured it into the western episteme, that, too, is a kind of a denial. It is a rendering and interpretation of history performed solely as an

[76] Adapted from Ruth Wilson Gilmore's definition of racism, which is "the state-sanctioned or extralegal production and exploitation of group-differentiated vulnerability to premature death."

attempted to reassert the primacy of an imperial personhood: the reinscription of the empowerment to demarcate the killable from those who must not and should not be killed (and the mutable boundary between these non-discrete categories). Whether this a product of our limited socio-political imaginations or the limitedness of legal structures' capacity for redress (and the destabilizing potential of reparations, particularly if recompense were to be defined by the harmed indigenous parties in question), it is certainly reflective of the pitfalls of an endeavoring towards "the human."

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